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General Secretariat for Fatwa Authorities Worldwide

Introduction
to Fatwa Sciences

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Introductory Booklet

In 2021, the General Secretariat for Fatwa Authorities Worldwide recognized the need to construct a scholarly encyclopedia that aims to provide an introduction into the science of fatwa issuance, its religious foundations, development, and the necessity of institutionalizing it. The focus also extends to enriching the bibliography of fatwas, promoting fatwa-related research, augmenting the fatwa library, and fostering the expertise and skills of individuals engaged in the field of issuing fatwas. Moreover, it aims to prepare the path for future generations of scholars as they explore their contemporaneous issues.

This comprehensive scholarly, “The Egyptian Encyclopedia of Fatwa Sciences,” is an all-inclusive body of work that encompasses all knowledge and sciences relevant to fatwa issuance, starting from the general introductions provided by earlier scholars and going all the way to contemporary approaches of administering fatwa institutions. Proficient scholars from diverse specializations participated in this enormous encyclopedic endeavor.

The Encyclopedia is divided into ten sections, each of which contains several parts. They are as follows:

Section One:

Principles of Fatwa and Fatwa Issuance

This section includes several subsections:

- An introduction to the science of fatwa issuance.
- A historical review of fatwas and key fatwa institutions.
- A glossary of fatwa-related concepts.
- Theoretical perspectives on fatwa issuance.
- The impact of jurisprudential rules on fatwa issuance.
- The influence of Shari'ah objectives on fatwa issuance.
- Discussions on the fundamental principles of fatwa issuance in a contemporary context.

1. Introduction to the Science of Fatwa:

This section, the first part of the Encyclopedia, covers the fundamental aspects that researchers and muftis should be familiar with. It provides guidance on the correct methodology in issuing a fatwa, given the significant and esteemed status of this scholarly field. After all, the mufti communicates God's rulings.

It is well-known that having a thorough understanding any field of study requires a comprehensive knowledge of its principles and basics. As a result, the importance of this section and its placement at the forefront are emphasized. It covers a wide range of topics, including:

a. Definition of fatwa

This subsection explains that a fatwa is the clarification of a Shari'ah ruling on a particular issue. The mufti (fatwa issuer) elucidates the religious ruling. Furthermore, Fatwa issuance is a field of study used to express these religious rulings.

b. The ruling for fatwa issuance

Fatwa issuance is a communal obligation (fard kifaya). As a result, it is necessary for Muslims to have someone who can clarify religious rulings and judgements on various matters, which is a skill that not everyone possesses. Hence, it must be undertaken by competent individuals who meet the established conditions. This section mentions that these are the basic rules of fatwa, but it may be subject to the five mandatory rulings: obligation, recommendation, prohibition, dislike, and permissibility, depending on the context of the individual or subject of the question.

c. The similarities and differences between the jurist, the mufti, and the judge, and the relationship between fatwa and arbitration.

d. The independence of fatwa from the discipline of Usul al-Fiqh (the principles of jurisprudence).

The section notes that the science of fatwa emerged as a subfield within the principles of jurisprudence, just as the discipline of inheritance law emerged from jurisprudence. However, it later became a separate discipline.

e. Stages of fatwa

The section discusses the phases that the fatwa process has gone through, from the Prophet's era to the modern age. It illustrates this through five stages: the era of prophecy, the era of the Companions and successors, the era of independent jurists, the era of imitation, and the modern era, explaining collective efforts and consensus fatwas, and the institutionalization of fatwa.

f. The craft of fatwa

This section dedicates an entire subsection to this topic. It explores the aspects of creating a fatwa, addresses the challenges related to contemporary fatwa creation, and presents solutions and suggestions to overcome these challenges. Fatwa issuance is a "craft" with the full implications of the word, requiring complex and organized stages in the mufti's mind for problem representation, adaptation, etc., intertwined with skill in rooting the fatwa in religious foundations as well as evidences. Since the principal pillar of this craft is the "mufti," the preparation and training of muftis in terms of knowledge and intellectual development requires significant effort and patience, allowing them to perform the required duties amidst the challenges of the era. It also mentions that fatwa institutions are the most important establishments entrusted with this noble task, fulfilling God's command for communication and elucidation.

g. Methodologies of fatwa

This section devotes an independent subsection to this topic. It addresses the concept of fatwa methodologies, the considerations for their division, the bases of fatwa methodology, its relationship with independent reasoning (ijtihad), the necessity of ijtihad in this era, and the methodologies of choosing a fatwa. This is done through the methodology of issuing a fatwa based on a single jurisprudential school (madhhab) of the recognized madhhabs, and the mechanism of fatwa on the methodology of choosing between madhhabs.

h. References of fatwa

This section devotes an independent subsection to this topic in which it discusses the jurisprudential references, methods of dividing and categorizing them, bibliographies of fatwas, and introduces some fatwa books.

2 - The History of Fatwa and Prominent Fatwa Institutions

This section provides an overview of the evolution of fatwa issuance, highlighting its key characteristics and methodologies. This summary serves as an introduction to the principal Islamic juridical institutions in terms of their history, stages of their development, and approach to fatwa issuance.

The information presented in this section is of utmost importance, as anyone studying the science of fatwa must understand its history and development into an established science with its own principles, structures, regulations, figures, and institutions. It is essential to appreciate the role of fatwa institutions, as they embody the ideal applicative methods and are the ultimate representation of the development and stability of the science of fatwa issuance in Islam. In addition, this section underscores the profound differences between moderation and extremism, as well as between authentic knowledge built on solid principles and rules versus false knowledge guided by whims and extremism.

The history of fatwas is discussed across various eras: the early period of Islam, the Umayyad era, the Abbasid era, the Fatimid era, the Ayyubid era, and the Mamluk era.

The section also reviews the most notable Islamic fatwa institutions such as the Egypt's Dar al-Ifta, the Tunisian Diwan al-Ifta, Morocco's Supreme Scientific Council, the Mauritanian Fatwa and Grievances Higher Council, Jordan's Ifta Department, the Palestinian Dar al-Ifta, Lebanon's Dar al-Fatwa, Iraq's Sunni Endowment Diwan, Kuwait's Fatwa Administration (a part of the Ministry of Awqaf), Oman's Fatwa Office, the Islamic Research Academy, the International Islamic Fiqh Academy in Mecca, and the International Islamic Fiqh Academy in Jeddah. These institutions are examined in terms of their

origins, their development stages, their approach to fatwa issuance, their leading scholars, their heritage, and some of their most significant fatwas that reflect modern realities.

This section likewise underscores the importance of contemporary fatwa institutions, which are now indispensable as they address current challenges and cater to the needs of the Islamic community by clarifying the rulings for numerous public and private matters. They act as independent, comprehensive scholars, proficient in all the latest details. The fatwas and decisions of fatwa institutions are based on the method of group reasoning, where specialized scholars prepare studies on various issues and emerging situations of concern to Muslims in general. These studies comply with the principles of research and verification, with the aid of experts across various fields to ensure accurate portrayal and description of the issues. All recognized schools of Islamic jurisprudence are considered without any favoritism.

This group reasoning, as practiced by these contemporary fatwa institutions, is a response to various factors and circumstances faced by the Islamic community. The absence of independent scholars who are well-versed in all scientific fields, language, and principles has made group reasoning an urgent necessity due to the fast-paced advancements and discoveries of this era, and the increasingly interrelated nature of various sciences. The resolution of a specific economic issue, for instance, relies on economists providing a thorough understanding of the matter.

Furthermore, the group reasoning carried out by these official fatwa institutions enhances the accuracy of fatwas and aligns them more closely with the intentions of the Wise Legislator. This helps to devise solutions for emerging problems and issues, facilitating people’s lives by promoting benefits and interests while mitigating harm and adversity.

3- Lexicon of Fatwa Concepts

This section delves into the concepts and terminologies associated with the science of issuing fatwas, which significantly influence the course of the fatwa process. These concepts can be jurisprudential, foundational, traditional, or contemporary.

The significance of this lexicon stems from the fact that misunderstanding a particular term's concept can lead to intellectual confusion which can ultimately lead to distorted perception. Additionally, some may interpret a term differently than its recognized meaning. If this misinterpretation becomes widespread, the term's meanings become convoluted, losing its scientific and terminological suitability. It is therefore essential to understand the true essence of these fatwa concepts, to elucidate their relation to the fatwa process and its three core elements: the mufti (one who issues the fatwa), the mustafti (one who seeks the fatwa), and the fatwa itself. From this, the idea of creating a comprehensive lexicon has arisen, with the aim of consolidating these disparate concepts, encompass their nuances, and illuminate their complexities within a specialized fatwa lexicon. The methodology adopted for this task is as follows:

The core idea of this lexicon is to compile a comprehensive collection of concepts associated with traditional, contemporary, and modern fatwa concepts in all their variations and manifestations. These concepts, whether related to written, audible, or visual fatwas, should fall within the scope of the fatwa process and related matters.

The purpose of this lexicon is multi-fold. The key objectives include:

- Documenting the fatwa-related concepts utilized both past and present, and elucidating their linguistic roots. The aim is to understand the subtleties of their technical meanings, and highlight the major influences, constraints, precautions, pillars, or conditions related to them.
- Gaining a clear understanding of each fatwa concept, which plays a pivotal role in elucidating the culture and tradition of fatwa issuance. This understanding is essential at two levels: the mufti, who needs to comprehend the concepts related to the fatwa process, and the mustafti, who needs to grasp the intricate meanings of the desired concepts.

- Making the science of fatwa issuance more accessible, particularly to non-specialists, by putting things in their proper context through the explanation of these concepts.
- Aiming to eliminate mistakes that arise from misunderstanding certain concepts related to the fatwa process.
- The methodology of creating this lexicon can be summarized as follows:
- Enumeration and extrapolation of relevant concepts.
- Listing these terms in an alphabetical order using a lexicographic approach.
- Highlighting the most significant fatwa issues connected to these concepts in accordance with the established scientific methodology.

The structure of this lexicon is based on several key principles:

1. The concepts related to fatwas are arranged alphabetically, irrespective of their linguistic roots, ensuring ease of navigation for the reader. Each letter becomes a distinct section within the lexicon.

2. Each fatwa concept is categorized into one of four types: jurisprudential fatwa, foundational fatwa, traditional fatwa, or contemporary fatwa.

3. Each concept in the lexicon is explored in depth through a dedicated research article, which delves into the issues and subtopics it encompasses.

The methodology used in preparing the lexicon's concepts is as follows:

Firstly, the Methodology of the Evolution of the Concept:

- The lexicon identifies the concept according to the era of its origin. For instance, a concept could be labeled as traditional, modern, or contemporary. The lexicon defines the start of the modern era as the commonly accepted twentieth century, specifically from when Muhammad Ali began ruling Egypt, up until three decades ago. Any period beyond that is considered contemporary.
- The lexicon differentiates between the term of the concept and its genus. Although the term may be contemporary, its genus may be old. For instance, although the "Jurisprudence of Reality" is a contemporary concept, its genus is old because earlier jurists employed it, even if they did not always agree on it.

Secondly, the Linguistic Meaning Methodology:

- The meanings of the linguistic root are elucidated with reference to Ibn Faris's Dictionary of Language Measures.
- Multiple meanings of a term, if they exist, are succinctly explained without resorting to citations or additional references, as is typical with lexicons.

Thirdly, the Terminological Meaning Methodology:

- The most precise, comprehensive, and prevalent meaning of a concept is taken from its sources, if available, without restrictions based on the source's age. The lexicon attempts to define a concept if one has not been established recently or earlier.
- The elements of compound or appended concepts are defined before exploring the definition of the concept as a whole.

Fourthly, the Procedural Meaning Methodology:

- The lexicon is committed to illustrating the practical implementation of the concept - that is, how it is applied in the process of issuing a fatwa. The lexicon aims to include this information for most concepts since this is typically unavailable in existing sources and studies.

Fifth, the Methodology of Related Terms:

- The lexicon focuses on introducing concepts that can be easily confused with the topic at hand, those that are synonymous, or those that have a close relationship with it.
- Each related concept is defined and its connection to the primary concept is elaborated upon.

Sixth, the Methodology of Principles, Pillars, and Conditions:

- The lexicon commits to highlighting aspects closely associated with the concept, such as its conditions, governing principles, foundational elements, tools, or mechanisms, all concisely stated. Examples are provided for clarification if needed.

Seventh, the Methodology of Interconnection between the Concept and the Elements of the Fatwa Process:

- The lexicon elucidates the significance of the main concept and its relationship with the three foundational elements of the fatwa process: the mufti (issuer of the fatwa), the mustafti (the fatwa solicitor), and the fatwa or the judicial decision itself.

Eighth, the Methodology of Practical Examples:

- To strengthen the understanding of the concept and its application, the lexicon includes practical examples derived from two fatwas issued by Egypt's Dar al-Ifta. The titles of the fatwas are cited along with an explanation of the reasons for their inclusion, if not evident from the titles themselves.

4. Fatwa Theories

This section explores the sources of legislation or fatwa that scholars utilize to understand the decrees of God. These sources are divided into two categories based on consensus:

Firstly, the sources agreed upon among the majority of Sunni Muslims are four; they are: the Quran, the Sunnah, ijma' (consensus), and qiyas (analogy). The sequence in which these are presented also corresponds to their hierarchy in deriving evidence.

Secondly, the sources that are subject to dispute, including: istihsan (preference), istishab (presumption of continuity), masalih mursalah (consideration of public interest), (urf customs), Shara`i man qablana (previous divine laws), madhhab sahabi (the doctrine of a companion), and sadd al-dhara`i (pre-emptive prohibition).

The first set of sources is considered primary, while the second set is regarded as secondary since they draw upon the primary sources. This division is relevant to the matter of jurisprudential choice where the mufti initially considers definitive evidence from the Quran, the Sunnah, and ijma'. If a ruling is not readily found, he then refers to the interpretations and analogies made by scholars, as well as what they have derived through the remainder of the general evidences.

This method is centered on detailing the mechanisms that a mufti should follow when selecting from primary sources and when navigating differences in scholarly opinions due to variations in their efforts, perspectives, and the foundational principles that have informed their views.

This section provides an overview of the mechanisms for choosing from the primary sources of legislation, namely: the Quran, the Sunnah, ijma', and qiyas. Scholars are unanimous in that these constitute the foundational sources for Islamic legal rulings and fatwas.

Since jurisprudential books typically serve as repositories for Islamic legal rulings, they become one of the essential sources a mufti must consult if a clear and unambiguous legal ruling cannot be found in the primary legislative sources. In addition, consulting these books serves as a means of issuing a fatwa because they compile decisions that are part of the primary legislative sources. The mufti may find in these books an interpretation of the evidence that may have been initially unclear. Therefore, this section dedicates a chapter to reviewing the four Sunni schools of jurisprudence, in addition to the Zahiri, Ibadi, Zaidi, Ja'fari, and extinct jurisprudential schools. This involves providing a brief definition of each, mentioning the leading scholar of each school and the accredited books within these schools, thereby positioning these schools as viable sources for fatwa choices.

This section separately dedicates a chapter to the guidelines for making juristic decisions (fatwas), where it outlines the features of a sound methodology for selecting a fatwa, which is based on the following principles:

1- Seeking guidance and assistance from God.

2- Verifying the occurrence of the incident or event.

3. Precisely understanding the fatwa.

4- Following the text of the law where it leads, implying that the text is the focal point of the fatwa and, when present, there is no room for individual interpretations or considerations.

5- Adhering to a scholarly methodology in handling the texts.

6- Considering ease of implementation i.e., adhering to the text while understanding the overarching goals of Shari'ah.

7- Being heedful of suitability, which refers to choosing the superior option, favoring the more beneficial choice, avoiding the greater harm, and placing a higher priority on preventing harm over bringing benefits.

8- Considering outcomes and objectives, meaning that the mufti should evaluate whether the application of the text will achieve its intended purpose or not.

9- Understanding the surrounding circumstances of the situation. This suggests that the mufti should consider the circumstances surrounding the incident and the changing context, whether these changes are temporal, spatial, or changes in conditions and situations. Consequently, the mufti should take these changes into account when issuing rulings and fatwas.

10- Continually re-examining the situation if the incident recurs. A scholar who makes a diligent effort in an incident and issues a fatwa as a result of that effort must review and make another attempt if the incident recurs. The initial attempt is insufficient and does not eliminate the requirement for further consideration and effort.

This section also contains an independent chapter on the change in fatwa. It explores the issue of change in fatwa: its significance, triggers, and domains, with the aim of thoroughly informing the mufti about this essential issue in determining the Shari'ah ruling for an individual's actions.

This chapter comprises several sections, which are:

- First: The general principles of modifying a fatwa.
- Second: Distinguishing between amendable and immutable rulings.
- Third: The grounds for modifying a fatwa.
- Fourth: The authorities that can alter a fatwa.
- Fifth: Present era requirements for changing a fatwa.
- Sixth: Guidelines for modifying a fatwa.

This part further includes a separate chapter on the method of issuing fatwas in response to newly emerging issues, emphasizing the importance of individual scholarly effort (ijtihad) in discerning their rulings, the methodology of evaluating them, and addressing some of the ambiguities associated with fatwas.

This part also explores the concept of group fatwa, its history, importance, the distinction between it and consensus (ijma'), and the difference between it and an individual fatwa. It further discusses the foundations and scholarly methods of issuing fatwas in its various forms: verbal, written, auditory, and visual.

5 - Jurisprudential Maxims and their Impact on Fatwas

The importance of this part arises from the importance of jurisprudential maxims in Islamic jurisprudence. In addition to representing a treasure trove of jurisprudential knowledge and a fertile intellectual resource, these maxims act as a primary guide for jurisprudential issues lacking for which there is no explicit text. They aid in organizing the branches of Islamic jurisprudence generally and particularly assist the mufti in tracing the nuances of rulings, extrapolating them from the various topics, and consolidating them into one subject. They also contribute to the development of the jurisprudential skill that illuminates the intellect of scholars, muftis and the judges, enabling them to reach the intended ruling without confusion. For this reason, the "Egyptian Encyclopedia for Fatwa Sciences" has dedicated a section to the study of jurisprudential maxims and their impact on fatwa issuance.

This part adopts a scholarly approach in presenting jurisprudential maxims as follows:

1- Establishing the maxim title: The most commonly used phrasing for the maxim is selected, with a reference in the footnote to other phrases for the maxim if presented differently, especially if there is a significance discrepancy between the phrases.

2- Identifying the type of maxim: Identifying the type of maxim whether it is jurisprudential, foundational, or foundational jurisprudential, including an explanation for this classification. The importance and status of the maxim for the mufti are also addressed. Occasionally, the origin of the maxim may be discussed if sources provide such information, although this is rare.

3- Defining the maxim's terminology: Defining the maxim's linguistic and technical terminology.

4- Presenting the general meaning of the maxim: Presenting the general meaning of the maxim accompanied by an illustrative example.

5- Citing rules closely associated with the maxim under consideration.

6- Outlining the evidence for the maxim.

7- Defining the conditions for applying the maxim.

8- Discussing the maxim's impact on fatwa issuance: This is the unique feature of this section for it elucidates the status and significance of the maxim in fatwa issuance and how the mufti utilizes it in his practice. Clear examples are provided to clarify or affirm the intended meaning.

9- Demonstrating practical applications of the maxim.

This part mentions the five major jurisprudential maxims and the principles that branch out from them. The major maxims are as follows:

1- "A matter is determined according to intention."

Under this are:

Maxim: Reward is not accrued without intention.

Maxim: In contracts effect is given to intention and meaning and not to words and phrases.

Maxim: Faith is based on verbal affirmations, not intentions.

2- "Certainty is not dispelled by doubt."

Under this are:

Maxim: The default assumption is innocence.

Maxim: The default status of all things is permissibility.

Maxim: Things should remain as they are unless there is evidence to the contrary.

3- "Difficulty begets facilitation."

Under this are:

Maxim: Difficulty is lifted by the law.

Maxim: Latitude is not waived by difficulty.

Maxim: When the ideal becomes difficult, the alternative is acceptable.

4- "Harm must be removed."

Under this are:

Maxim: Necessities permit what is otherwise forbidden.

Maxim: A necessity is measured by its extent.

Maxim: Individual harm is tolerated to avoid public harm.

5- "Custom is authoritative."

Under this are:

Maxim: The common practice of people must be considered.

Maxim: The general rule is given precedence, not the exception.

Maxim: A matter recognized by custom holds the same weight as a contractual condition.

In addition to these major principles, this section also discusses various other independent jurisprudential maxims. These include:

Maxim: There is no room for ijtihad (individual reasoning) when an explicit text exists.

Maxim: When prohibition and necessity conflict, preference is given to the prohibition.

Maxim: Employing language is preferable to neglecting it.

Maxim: Preferring oneself in acts of worship is disliked but preferred in others.

Maxim: The subordinate takes the ruling of its superior.

Each maxim is elucidated with practical examples and applications.

6- The Objectives of Islamic Law and their Impact on Fatwa Issuance

This section examines objectives of Islamic law and emphasizes their importance to the mufti. As the representative of the lawgiver in conveying Islamic law, the mufti must ensure that his fatwas are in line with the Legislator's intentions. His rulings should accord with the goals of the Shari'ah and meet the beneficial ends that the Legislator has sought in framing the regulations. A fatwa that conflicts or contradicts these intentions would be considered void. Therefore, it is vital for a jurist to consider the legislative objectives in his fatwas, diligently reflecting on them during his deliberation and evaluation of evidence.

Legal scholars have underscored the importance of understanding these objectives for anyone engaging in ijtihad (independent reasoning). This understanding serves as a foundational element in discerning rulings on new situations and developments, interpreting legal texts from the Quran and Sunnah, reconciling opposing evidence, and weighing conflicting interests. The mufti's comprehensive awareness of these objectives facilitates balance and moderation in his rulings, helping to avoid contradictions and inconsistencies.

Fulfilling these legislative goals is the ultimate objective that the mufti seeks to achieve when imparting the Islamic ruling contained in his fatwa. This establishes the connection between the legislative objectives and the practice of issuing fatwas.

At times, this connection is neglected, leading to fatwas that are far removed from the noble objectives of Islamic legislation, its elevated meanings, and higher aims. Such divergence can be particularly evident during periods when those issuing fatwas are many, and their platforms are varied. Hence, there emerged a necessity to approach this matter using a scholarly method, combining foundational principles of purpose-driven thought with practical fatwa application. Purpose-driven thinking holds supreme importance in the fatwa issuance process, and its importance can be condensed into two main aspects:

Firstly: It elucidates the importance of Shari'ah's objectives for both the fatwa solicitor and the broader Muslim community. It also addresses the risks associated with neglecting or overlooking these objectives in fatwa issuance.

Secondly: It offers examples of fatwas guided by these jurisprudential purposes. These are living fatwas that strive to serve the interests of both worldly life and the hereafter by promoting benefits and averting harm from those seeking guidance.

The variance of these fatwas between those issued by Egypt's Dar al-Ifta over the period of a century and those issued by other fatwa bodies and jurisprudence assemblies increases their value and richness.

3- Methodology for Applying Purpose-Driven Thought in Fatwas

This section delineates the methodology for incorporating purpose-driven thought in fatwas, through two main factors:

Firstly: It underscores the importance of these objectives for both the jurist and the mufti.

Secondly: It describes the requirements for integrating purpose-driven thought into fatwas, presenting these as practical models. These requirements include:

- Understanding the underpinnings and aims of the Shari'ah.
- Familiarizing oneself with the objectives of various jurisprudential categories (areas relevant to fatwas).
- Gaining insight into the jurisprudence of means.
- Comprehensively understanding the realities of issuing fatwas.
- Becoming adept at the jurisprudence of balancing and prioritizing.
- Evaluating possible outcomes.

This section emphasizes that the domain of fatwas, in the context of the Shari'ah objectives applies only to those Shari'ah rulings that are open to ijtihad and can change according to different circumstances and interests over time and place.

The methodology of this section, in terms of presenting the topics and their objectives, follows the following steps:

Firstly: It introduces the jurisprudential topic being explored, detailing its linguistic and technical definitions, its key components, critical conditions, and its significant jurisprudential issues.

Secondly: It outlines the Shari'ah objectives related to the topics being investigated through:

1- Distinguishing the type of objective (general/specific/partial).

2- Establishing the priority of the objective (essential/needed/complementary).

3- Determining the method for validating the objective (inductive reasoning/ explicit command or prohibition/actions of the Companions, etc.).

Thirdly: It presents a jurisprudential fatwa or examples from a set of fatwas, reflecting the Shari'ah objectives associated with the jurisprudential topics being investigated.

Fourthly: It illustrates the methodology of implementing the objective in the fatwa through:

1- Explaining the mufti's role in applying the objective, by discussing the ruling's derivation in the context of the objective, the ideas proposed for the objective's application, and the means prescribed or alluded to for applying the objective, based on what's available in the presented fatwa.

2- Highlighting the mustafti's role in applying the objective. This involves describing what the mustafti should do to apply the objective in light of the presented fatwa, and showing how we can apply the objective today in our contemporary reality.

7- The Fundamental Aspects of Fatwa Issuance in Contemporary Applications

Given the intricacies and advancements observed across political, social, cultural, economic, and technological spectrums in our current era, reliance solely on traditional foundational knowledge for applying the principles of fatwa issuance is no longer sufficient. The complexities of these aspects have evolved substantially in modern times, necessitating a thorough study of the practical implications of contemporary fatwa matters. To address this need, the "Egyptian Encyclopedia for Fatwa Sciences" has dedicated this section to exploring the subject matter, examining the fundamental discussions of fatwa issuance within contemporary contexts. Specifically, it delves into how foundational scholars historically approached topics related to fatwa issuance, the diversity of their opinions on its various aspects, and the degree to which these issues and discussions have evolved in today's applications.

This section encompasses the majority of issues related to fatwa issuance, as documented in foundational texts, and assesses the evolution these issues have undergone in this era.

The section commences by defining key terms present in its title: "fundamental," "fatwa," and "contemporary application." Additionally, this section provides an in-depth explanation of "fatwa," articulating that it involves "conveying a Shari'ah ruling on a specific or general occurrence, either observed or anticipated." It highlights that the field of fatwa is multifaceted, blending cognitive and skill-based dimensions. Essentially, it involves the integration of knowledge acquisition, training, and ethical development and holds an important position within the broader domain of Islamic sciences due to its great real-world implications.

This section also explains the position of fatwa within the science of the principles of jurisprudence, Usul al-Fiqh. It elucidates that "fatwa" is part of Usul al-Fiqh, with the latter being defined as "the comprehensive understanding of the sources of jurisprudence, the methods of deriving benefits from these sources, and the state of the beneficiary." The discourses of the mufti and the mustafti are integral to the "state of the beneficiary," as the beneficiary encompasses both the mujtahid (independent jurist) and the muqallid (follower). As such, the debates on ijtihad and taqlid

(imitation) form part of the science of Usul al-Fiqh. These debates include specific discussions on the roles of the mufti and the mustafti - the former in the capacity of a mujtahid and the latter as a muqallid.

This section devotes a substantial chapter to the fundamental issues concerning the mufti and another extensive chapter to the matters relating to the mustafti.

Regarding the fundamental issues associated with the mufti, this section addresses several topics, including the definition of “mufti” from both foundational and contemporary perspectives.

The book notes that in earlier times, a mufti was equivalent to an absolute or restricted mujtahid, capable of inference and prioritization. Independent reasoning, or ijtihad, was a prerequisite for issuing a fatwa. However, this requirement was gradually relaxed, allowing a mufti to issue legal rulings and to be well-versed in the doctrine of his Imam. This easing of the ijtihad condition has evolved our modern understanding and definition of a “mufti” as someone who issues a fatwa.

This section of the guide discusses essential conditions that scholars argue must be met by a mufti. For example, it is necessary for the mufti to be of the Islamic faith and legally responsible. These requirements are deemed critical in contemporary practice.

Moreover, the guide examines the necessity of the mufti being male in the current era. It highlights that the policies of official fatwa-issuing institutions do not prohibit women from issuing fatwas. In fact, some official institutions, like Egypt’s Dar al-Ifta, explicitly state there are no religious objections to women formally issuing fatwas.

Among these conditions is the requirement of integrity (or righteousness) in the mufti, which applies both on an individual and institutional level. The guide emphasizes that when muftis are appointed in official fatwa institutions, the requirement of righteousness is carefully considered. As the chosen muftis are typically senior scholars of Shari’ah law, professors, and specialists in the country of the fatwa institution, their integrity is generally assured.

The guide also discusses the condition of "sufficient knowledge" that must be met by a mufti in contemporary application. This refers to the intellectual capacity to utilize necessary Shari'ah knowledge and fatwa-issuing skills to articulate a ruling on a Shari'ah matter.

The concept of a "necessity mufti" (a scholar who does not meet all the conditions of a mufti, primarily ijtihad) is further explored. Such individuals are followers, but circumstances may necessitate them to issue fatwas for various reasons.

The Encyclopedia acknowledges that "necessity muftis" exist in national fatwa institutions. These institutions have gained substantial credibility and trust from the public, who are keen to know Shari'ah rulings. Given the overwhelming volume of inquiries and the difficulty in finding muftis who meet all the prerequisites, particularly ijtihad, the role of the "necessity mufti" emerges as a solution. This is especially true when it comes to frequently asked questions, which often do not require additional ijtihad or research. Examples include questions about religious matters and some transactions, such as the ruling on beards, smoking, and unintentional eating while fasting, among other recurrent queries.

This section often mentions issues related to the mufti, such as the problem of an era devoid of a mujtahid, the prohibition of a non-qualified person issuing a fatwa, the issue of allowing a layperson to consult a mujtahid for a fatwa, the issue of the lead in issuing fatwa between a narrator of hadith and a jurist, the regulation of taking the lead in issuing fatwas, following modern techniques to reach those asking for a fatwa, and the question of whether a mufti acts according to his beliefs.

It also deals with the issue of whether a member of a fatwa institution can act according to the institution's approach, even if it contradicts his beliefs. The section dedicated to issues concerning mustafti covers many topics, including defining a "mustafti" from both a traditional and contemporary perspective. The manual indicates that a "mustafti" in a modern application doesn't differ from its traditional approach.

A “mustafti” includes anyone who consults a mufti on a matter he cannot decide on himself. This encompasses a layperson who can’t weigh the evidence or study the issue at hand, as well as those who have advanced beyond the layperson’s level and have acquired some knowledge that enables them to understand and consider the evidence. However, they have not reached the level of mujtahids who issue fatwas.

Other issues related to the “mustafti” include who a “mustafti” is allowed to consult and who the “mustafti” can consult in a modern application. On this issue, the manual prefers the opinion of the majority of scholars that a “mustafti” must investigate who he wishes to ask and follow. Similarly, in the modern application, one should strive to identify qualified individuals, as asking for a fatwa is a crucial part of a Muslim’s life that requires careful consideration. The manual also covers issues like what to do if there is only one mufti available, the diversity of muftis, and when it’s obligatory for a layperson to ask for a fatwa. It considers whether it’s necessary for a layperson to adhere to a specific doctrine in all situations.

In the modern age, people cannot be expected to follow a single doctrine or a single opinion, given the difficulties and complications that would ensue, especially with the emergence of new issues in this era. Therefore, many official fatwa institutions in Muslim countries follow a policy of not limiting fatwas to a specific doctrine.

This section also addresses other issues and applies them to the contemporary context.

Section Two:

Fatwas and Jurisprudential Schools

This section includes several parts, as follows:

- - Issuance of fatwas according to the Hanafi school.
- - Issuance of fatwas according to the Maliki school.
- - Issuance of fatwas according to the Shafi'i school.
- - Issuance of fatwas according to the Hanbali school.
- - Issuance of fatwas according to broad jurisprudence.
- - Issuance of fatwas according to the Ibadi school.

1- Issuance of fatwas according to the Hanafi school

It is crucial to understand the specificities of each jurisprudential school, including its terminology and its relied-upon texts. If a researcher lacks this understanding, they risk attributing a statement to a school's Imam that he may not have uttered. Numerous opinions present in books and attributed to a certain Imam often originate from his principles, as interpreted by his followers. Hence, these views are ascribed to him, even if he did not explicitly voice them.

In light of this, the General Secretariat for Fatwa Authorities Worldwide saw the necessity of formulating studies addressing the four main schools and other jurisprudential schools, to guide researchers and those involved in the science of fatwa issuance. The first of these studies is this section of the guide, dedicated to the Hanafi School.

The Hanafi School is considered the oldest of the four renowned Sunni schools of thought. It was established in Kufa by its founder, Imam Abu Hanifa al-Nu'man bin Thabit, may Allah have mercy on him, who passed away in 150 AH.

Upon reviewing the school's history, it's evident that Imam Abu Yusuf and Imam Muhammad bin al-Hasan were instrumental in shaping the school. However, Muhammad bin al-Hasan al-Shaybani played a more significant role in its evolution, given his foundational works that established its narrative, notably the 'Dhahir al-Riwaya' books, along with other writings that supported the school and facilitated the explanation of its evidentiary methods and principles.

Additionally, Imam Zufar and al-Hasan bin Ziyad, both companions of Abu Hanifa, were notable figures in the school, and their opinions have been deeply respected by Hanafi jurists. Their contributions were pivotal in expounding the school and explaining its doctrines, albeit they didn't hold the same status as Imams Abu Yusuf and Muhammad bin al-Hasan.

This section delves into the history of the Hanafi school, its evolution, and approach of issuing fatwas. It also addresses this school's terminologies, including terminologies specific to book titles, issues, prominent figures of the school, as well as terms referring to the narratives, authentic or predominant opinions, and those used in issuing a fatwa within the Hanafi School. This section further presents the foundational principles of the Hanafi school, which are: The Holy Quran, the Sunnah (Prophetic Tradition), qiyas, and istihsan.

It also elucidates that one of the defining features of the Hanafi school is its extensive use of qiyas and istihsan, as well as the wide utilization of hiyal (jurisprudential stratagems). It further specifies that the aim of these stratagems is not to endorse prohibited practices; such conduct would be unthinkable from the scholars of the Hanafi school. The intended purpose is rather to facilitate the use of permissible stratagems to alleviate a pressing situation or incident through a jurisprudential approach that does not involve legalizing the forbidden or forbidding the permissible, and excludes any involvement in sin or disobedience. This approach is often referred to by some scholars and researchers as "finding ways out of hardships".

This section also points out other distinguishing features of the Hanafi school, notably hypothetical Jurisprudence. This involves the anticipation and estimation of matters prior to their occurrence, enabling the identification of the most suitable and appropriate rulings.

This section contains a unique chapter devoted to the writings within the Hanafi School. This chapter showcases some of the most prominent jurisprudential works and fatwa books in the Hanafi school, including "Mus'af al-Hukam ala al-Ahkam" by Shahab al-Din Muhammad bin Abdallah bin Ahmed al-Khatib al-Tamartashi al-Ghazi al-Hanafi, a leading figure among the Hanafis during his era. Other notable works include "Uqud Rasm al-Mufti wa Sharhuha" by Muhammad Amin bin Omar bin Abdulaziz al-Damashqi, also known as Ibn Abidin, who was the Imam of Hanafis in his time. This work, composed as a poem, clarifies the principles of fatwa according to Imam Abu Hanifa's school. It elaborates on Hanafi terminology, establishes fatwa protocols, and the fundamental principles and rules governing fatwa issuance.

Additionally, this chapter features "Fatawa al-Nawazil" by Abu al-Laith Imam al-Huda Nasr bin Muhammad bin Ibrahim al-Samarqandi al-Hanafi. This compendium of issues and beneficial Shari'ah rulings is invaluable for those tasked with issuing fatwas in the Hanafi school. It also highlights "Al-Natif fi al-Fatawa" by Abu al-Hassan Ali bin al-Hussain bin Muhammad al-Sughdi al-Hanafi, which offers a modern approach to formulating jurisprudential rules. It provides a practical toolkit for muftis to refer to when issuing fatwas, encompassing a vast spectrum of Islamic jurisprudential heritage.

This section also presents a dedicated chapter on the criteria for determining the al-mu'tamad (relied-upon texts) in the Hanafi School. This chapter illuminates the key criteria by which authoritative or considered books in the Hanafi school can be distinguished. It explores the rules for determining the relied-upon texts among the authorships and the rules for identifying the relied-upon statements within the school.

It also includes a special chapter accentuating the three main advantages of the Hanafi school: upholding personal freedom, exercising caution in fulfilling the rights of Allah, and demonstrating precision in trade rulings. This chapter also delves into the principles of the Hanafi school related to transactional matters, giving examples and issues that highlight the accuracy of the Hanafi school in terms of trade rulings.

The final chapter of this section discusses the prominence of the Hanafi school in the fatwas issued by official fatwa bodies such as the Egypt's Dar al-Ifta, the Jordanian Department of Fatwa, and the Fatwa Committee of the Kuwaiti Ministry of Awqaf.

2- Issuance of fatwas according to the Maliki school

The Maliki school, established by Imam Malik ibn Anas (d. 179 AH) in Medina, is the second Sunni jurisprudential school to emerge following the Hanafi school.

This Encyclopedia serves as a guide for researchers, shedding light on the principles, terminologies, degrees of narratives, and sayings within the Maliki school. It explains the methodology of issuing fatwas and elaborates on the unique features and principles of this school. Additionally, it underscores the value of the scholarly works it has produced, and the practicality of the fatwas issued by its scholars in addressing contemporary issues.

The first chapter delves into the history of the Maliki school, providing an overview of Imam Malik, the school's founder, and tracing its development, evolution, and various sub-schools.

A dedicated chapter outlines the terminologies unique to the Maliki school. It includes terms found in Imam Malik's book "Al-Muwatta," terms from the "Al-Risala" by Imam Ibn Abi Zaid al-Qayrawani, terms denoting notable figures and authorships within the school, and general terms prevalent in the school's literature.

Another chapter explores the principles of the Maliki school, highlighting its thirteen foundational principles: The Holy Quran, Sunnah, consensus, practices of the people of Medina, statements of Companions, pre-existing laws, analogy, public interest, assumption of continuity, juristic preference, blocking the means, customs and norms, and considering the disagreement. A key point is the emphasis on "practices of the people of Medina" as the distinguishing principle of Imam Malik's approach. He asserted that any prevalent practice in Medina, the Prophet's city, must be adhered to without contradiction

The Encyclopedia also dedicates a chapter to the authorship within the Maliki school, divided into three sections corresponding to the school's stages of development: works from the inception period, the evolution period, and the stabilization period.

The fifth chapter addresses the diversity of narratives and sayings in the Maliki school. It probes into the origins of discrepancies in jurisprudential narratives and sayings, the causes for their multiplicity, and presents definitions and types of these narratives.

The chapter clarifies that “narrations” refers to the sayings of Imam Malik, while “sayings” points to the opinions of Malik’s companions and other later scholars.

The multiplicity of sayings within the Maliki school is attributed to two primary factors:

The first is the ijtihad of Imam Malik’s companions.

The second is understanding of the expressions used in “Al-Mudawwana,” recognized as the main source of Maliki jurisprudence.

The chapter concludes that the Maliki school stands out as the most diverse and richest school concerning the abundance of narratives and sayings it encompasses.

The sixth chapter delves into the most notable features of the Maliki school, specifically:

1- Its flexibility in handling many complex and new issues.

2- The school’s unique reputation as an exemplary model of maqasid (objectives) jurisprudence.

3- It is renowned for being the most foundational among schools and is replete with evidence.

4- The school’s particular prominence in the field of financial transactions.

The seventh chapter stands out as one of the most crucial sections of this book as it focuses on the methodology of issuing fatwas in Maliki jurisprudence. It comprehensively discusses the various degrees of accepted statements in fatwa issuance, and the underlying principles and rules for choosing among these statements.

As indicated in this chapter, the narratives and statements that emerged within the Maliki school did not all carry equal weight; rather, they differed based on the evidence supporting each statement. These are categorized as follows:

1- Agreed-upon.

2- Preponderant.

3- Well-known.

4- Equally compelling as its counterpart.

5- Preferred statement (unusual or weak).

6- Practiced.

The Encyclopedia elaborates on these statements, detailing their tiers, and discussing the aspects of preference among them according to Maliki scholars.

This chapter also outlines the conditions and rules for issuing fatwas based on weak or unusual opinions within the Maliki school.

Finally, the last chapter of this section provides examples of fatwas from official bodies following the Maliki school. These are chosen examples from Egypt's Dar al-Ifta, the Supreme Scientific Council in Morocco, the Tunisian Dar al-Ifta, the Supreme Council of Fatwa and Grievances in Mauritania, and the Department of Ifta in Jordan.

3- The issuance of fatwas according to the Shafi'i school:

This section is specifically allocated to the subject of issuing fatwas and related matters within the Shafi'i school, through a comprehensive exploration of the methodology and principles set out by the school's Imam.

The introductory portion of this section highlights Imam al-Shafi'i as a mufti. This is not a traditional biographical sketch; instead, it offers an analysis of the role of fatwa issuance in Imam al-Shafi'i's life. It provides an overview of his scholarly and psychological preparation and illustrates how the variety of educational schools he attended significantly shaped his mindset towards issuing fatwas. His intellectual journey spans from his discipleship under Imam Malik - may God have mercy on him - where jurisprudence was intertwined with the art of hadith, to his training under Imam Muhammad Ibn al-Hasan al-Shaybani, a disciple of Imam Abu Hanifa - may God have mercy on him - where jurisprudence was keenly linked to ijtihad, the derivation of rulings, and the utilization of precise opinions in interpreting religious texts. The discussion also encapsulates how this competent mufti whose jurisprudence reached the level of ijtihad, dealt with life's realities and how this understanding led to the modification of many fatwas from his early doctrine in Baghdad to the new principles he established in Egypt.

This section chronicles the history of the Shafi'i school since its inception, documenting its journey through time. It explains how it began, its origins, the foundational principles on which it was established, and its evolution into a recognized school with followers, books, and laws after initially being systematic ideas within the Imam's mind. It elucidates how the school developed, expanded, and spread across different regions after being confined to al-Shafi'i and his students, how it incorporated various internal schools from the Imams of the school themselves, and its current status.

Additionally, this section shows that a study of the history of jurisprudential schools clearly demonstrates that the Shafi'i school sets itself apart from the preceding two schools (Hanafi and Maliki). This is because it emerged from the intellectual efforts of its Imam who brought together the principles and sciences of both schools within his sphere of knowledge. He then presented to the people a unique school that served to drew their attention away from the conflicts and divisions that were commonplace

among the people of hadith and the proponents of opinion.

This section furthermore delves into the terminologies of the Shafi'i school, which are categorized into three sections:

Firstly, terminologies related to books.

Secondly, terminologies related to notable figures.

Lastly, terminologies that indicate disagreement within the school and the prevailing views.

Concerning the Shafi'i school's principles, it is noted that it is customary for scholars to derive their methods of independent reasoning, or ijtihad, from the methodologies established by the founders of their particular schools. This gave rise to the science of Usul (principles of jurisprudence) within these schools. The Shafi'i school, however, diverged in this respect. Its founder, Imam Shafi'i, personally established the principles underpinning his school, building its structure upon these foundations. His book, "Al-Risalah," first penned in Baghdad and subsequently in Egypt, was among the pioneering works in the field of Usul al-Fiqh (principles of jurisprudence). Therefore, Imam Shafi'i was the first to author a standalone book in the field of Usul, primarily aimed at elucidating the jurisprudence of the Quran and Sunnah.

This section also outlines the eight principles of the Shafi'i school: The Quran, the Sunnah, ijma (consensus), qiyas (analogy), the sayings of a companion, istishab (continuity), istiqra (induction), and these encompass urf (custom), and the principle of choosing the lesser of two evils. It further highlights the principles that Shafi'i rejected, such as maslahah mursalah (consideration of public interest), istihsan (juristic preference), the practice of the people of Medina, and divine laws from prior eras.

Additionally, the section discusses seminal works on jurisprudence, legal rules, and the most renowned fatwa books within the Shafi'i school. It also calls attention to the wealth of books within the Shafi'i school dedicated to the process of issuing fatwas. These texts examine the methodology of fatwa issuance, its regulations, and the etiquette surrounding the mufti

and the mustafti among other related matters. This is attributed to the special attention Shafi'i scholars have afforded to fatwa issuance, deeming it of significant importance and producing numerous dedicated works—a focus not mirrored in other schools.

The Encyclopedia further referenced books focused on collecting and recording fatwas in line with the Shafi'i school, such as "Fatwas of al-Qaffal" by the renowned jurist Abu Bakr Abdullah bin Ahmad bin Abdullah, known as al-Qaffal al-Marwazi (died 417 AH). These fatwas were highly regarded by the majority of scholars and Imams of the school, with many Shafi'i texts incorporating issues derived from these fatwas. Other notable works include "Fatwas of Qadi Husain" by Qadi Husain bin Muhammad al-Marwarrudhi (died 462 AH), a leading figure and judge of the Shafi'is in Transoxania, "Fatwas of al-Ghazali" by Hujjatul Islam, Abu Hamid Muhammad bin Muhammad bin Muhammad bin Ahmad al-Ghazali (died 505 AH), and "Al-Masa'il Al-Manthoorah (Scattered Issues)" by Imam Abu Zakaria Muhyiddin Yahya bin Sharaf al-Nawawi (died 676 AH), and "Al-Fatawa Al-Kubra Al-Fiqhiyyah" by Sheikh al-Islam Shihabuddin Ahmad, known as Ibn Hajar al-Haytami (died 974 AH).

This section allocates a chapter discussing the diversity of views and perspectives within the Shafi'i school, and what is considered authoritative within it. This chapter addresses the multitude of viewpoints on a single issue within the school, the classification of Imam Shafi'i's views into two distinct perspectives without expressing a preference, and what is regarded as reliable in the Shafi'i school. The process of selecting what is considered reliable is based on the utilization of esteemed scholarly works. Another chapter in this section delves into the differences between Imam Shafi'i's older and newer schools of jurisprudence. The chapter describes the characteristics of each school, highlights where the newer school diverges from the older one, and discusses instances where the older school's views are favored.

This section also underscores the most salient characteristics of the Shafi'i school that distinguish it from other schools. These include:

1. Unique moderation in approaches to deduction and addressing textual evidences of rulings

2. The renowned excellence of the majority of its Imams and scholars in the field of hadith studies.

3. Its unparalleled contributions and services provided over centuries.

4. The abundance of scholars who demonstrate independent reasoning (ijtihad).

One of the most important chapters explores the process of issuing religious edicts, or fatwas, within the Shafi'i school. It elucidates the relied-upon method for issuing fatwas in the Shafi'i school, and elaborates on the issue of pronouncing fatwas based on weak viewpoints within this school.

Lastly, this part provides examples of fatwas from official fatwa institutions in line with the Shafi'i school. These carefully chosen examples come from the Egypt's Dar al-Ifta, the Fatwa Committee at the Ministry of Awqaf and Islamic Affairs in Kuwait, the Jordanian Ifta Department, the Palestinian Dar al-Ifta, and the International Islamic Fiqh Academy.

4. Issuing fatwas according to the Hanbali school

The Hanbali school is one of the four jurisprudential schools that God Almighty has accepted and sustained over time. This school has been embraced by Muslims over the centuries, boasting a plethora of jurists who have diligently studied, taught, authored, edited, issued fatwas, and adjudicated according to it. This has established the Hanbali school as the optimum path for comprehending Allah's book and the Sunnah of His Prophet (peace and blessings be upon him), and applying their rulings in the ever-evolving lives of people.

The Hanbali school, attributed to its founder, Imam Ahmad bin Muhammad bin Hanbal (born in 164 AH, died in 241 AH), is inherently inclined towards hadith and athar. The school has a strong connection to the issuance of fatwas, as it was shaped by the fatwas and responses of its Imam. Instead of authoring a book in jurisprudence, Imam Ahmad held forums for issuing fatwas, where he responded to questions posed by the people, and his disciples would then record these responses. His fatwas were subsequently collected, categorized, and used to establish the school's principles and branches. Hence, it is fundamentally a fatwa-issuing school.

The Hanbali school is currently the official school in the Kingdom of Saudi Arabia and the State of Qatar. It also has a substantial presence in al-Ahsa, Bahrain, Kuwait, the United Arab Emirates (especially Sharjah, Ras al- Khaimah, and Fujairah), and Oman. Although the Ibadhi school is the predominant school in Oman, the Hanbali school also has a significant presence there, particularly in Julan.

This section pertaining to the Hanbali school, discusses Imam Ahmad's terminologies in his fatwas. Imam Ahmad was known to be highly cautious in his fatwas and rulings; he would not label something as haram (forbidden) unless there was a clear text prohibiting it, and he would not declare something as wajib (obligatory) unless a text unequivocally stipulated its obligation. Instead, he often employed phrases to convey disapproval and prohibition, such as "I do not like it," "I detest such and such," "I do not love it," and "I do not approve of it." This section also elucidates the meanings behind these terminologies. It moreover clarifies the terminologies used by Imam Ahmad's companions in transmitting the school's doctrine, making

comparisons within it, and the Hanbalis' terminologies in referencing the most distinguished Companions.

This section also presents the foundational principles of the Hanbali school of jurisprudence, discussing religious texts, consensus, statements of the Companions, analogy, considerations of public interest, blocking means to harmful ends, preference, continuity, and societal norms as recognized by those before us, considering them the foundations of this school of thought.

Moreover, it also brings to light some of the most prominent jurisprudential works and books on the principles of Islamic jurisprudence and its rules within this school. It further highlights the most well-known books of fatwas in the Hanbali school. However, it should be noted that the number of fatwa books in the Hanbali school is smaller compared to the other three schools of jurisprudence. Some of the most significant books of fatwas in this school are the books of Imam Ahmad's issues, the fatwas of Ibn Aqil, Ibn al-Jawzi's fatwas, Ibn Taymiyyah's Grand Fatwas, the compilation of Ibn Taymiyyah's fatwas, and the fatwas of Yusuf bin Abdulhadi.

This section also addresses the multiplicity of narratives and opinions within the Hanbali school, which reflect the richness of its scholarly tradition and a manifestation of its facilitation. This plurality of narratives and opinions provides researchers with a wide range of options to balance and choose the most suitable ruling and the closest to achieving public interest, provided they are based on correct evidence and sound reasoning.

Research suggests that the key factors leading to the multiplicity of narratives and opinions within the Hanbali school are Imam Ahmad's insistence on following the strongest evidence to ensure methodological accuracy, differences in the narratives about Imam Ahmad on certain issues, the fact that he himself sometimes left an issue open to two opinions, his occasional rulings based on opinion (which can vary), his consideration of the questioner's circumstances, and the fact that he did not document his own jurisprudence.

The study also outlines the authoritative works within the Hanbali school and highlights its key features, such as Imam Ahmad's combination of hadith and jurisprudence, the Hanbali school's unique assertion that the door to ijtihad is not closed, its distinction in the field of contracts and conditions, and its adoption of the theory of "the motivator" and considering the consequences.

The most important issues addressed in this section include the methods of issuing fatwas in the Hanbali school, a discussion on the importance of fatwas and their status and ruling in the Hanbali school, the conditions of the mufti, and other related matters. It also delves into the mufti's mistakes, retraction of fatwas, liability, and the etiquette he should observe when issuing a fatwa. Furthermore, this section covers navigation between strictness and leniency in the Hanafi school. The Hanbali school is one rests on the dual pillars of precaution and simplicity, leaning towards caution in matters of worship, though it is the most liberal of the jurisprudential schools in matters of financial transactions and contracts. It leans towards the theory of contractual freedom and conditions, allowing the contracting parties to establish any contracts and obligations they wish as long as they mutually agree, without being bound by specific formal restrictions or predefined types of contracts, and also allowing them to stipulate any conditions and restrictions they wish, unless there is something in the Shari'ah texts or its principles that prevents a particular contract or condition in which case it becomes specifically prohibited.

Finally, this section includes examples of fatwas issued by various bodies that adhere to the Hanbali school, such as Egypt's Dar al-Ifta, the Standing Committee for Scientific Research and Issuing Fatwas in Saudi Arabia, the Fatwa Department of the Ministry of Awqaf and Islamic Affairs in Kuwait, the Palestinian Dar al-Ifta, the Fatwa Department in Jordan, as well as examples of decisions from the International Islamic Fiqh Academy founded on the Hanbali school, and examples of fatwas from the Fatwa Office in the Sultanate of Oman adhering to the Hanbali school.

5- Issuing Fatwas Based on Extensive Jurisprudence

The Islamic jurisprudential system is both rich and wide-ranging. Since the passing of the Prophet Muhammad (peace and blessings be upon him), his distinguished Companions (may Allah be pleased with them) dispersed to various regions of the Islamic world. They dedicated their efforts to disseminating what they had learned from the Prophet and the inferential and evidential methods they had adopted. Subsequent generations immersed themselves in this pure source, striving in their understanding and narration, resulting in the emergence of various jurisprudential schools across Islamic countries. Some of these schools achieved recognition and longevity, while others faded into obscurity.

Without a doubt, there are many advantages to studying this broad jurisprudence. Studying jurisprudential schools beyond the primary four eliminates prejudice, broadens understanding, provides jurists with useful flexibility in deriving the correct rulings, and preserves knowledge that took significant time and effort to acquire.

Consequently, the General Secretariat for Fatwa Authorities Worldwide recognized the need to compile a book on fatwa issuance based on this extensive jurisprudence and which encompasses the opinions of the mujtahids (jurists capable of independent reasoning) among the Companions, their followers, and those who followed their path in subsequent eras.

This is divided into two sections: The first addresses fatwas issuance according to jurisprudential schools beyond the primary four. The second section addresses fatwas based on the assertions of independent muftis.

Three schools are explored in the first section: The Zahiri school, the Zaidi school, and the Ja'fari school. The principles, fatwa-issuing methodologies, and sample fatwas of these schools are also examined.

This section emphasizes how the scholarship of two influential people served as the foundation for the Zahiri school — Dawud al-Isfahani, often regarded as the school's founder as he was the first to vocalize its principles, and Ibn Hazm al-Andalusi. This school uniquely relies solely

on textual sources for jurisprudential authority among the eight schools. Consequently, its adherents dismissed all forms of opinion-based reasoning, such as analogy, juristic preference, consideration of general interest, or pre-emptive measures. They adhere strictly to texts and, in the absence of specific texts for a particular issue, they resort to the principle of original permissibility, known as istishab. This led them to establish numerous rulings that contradicted those of other jurists. For instance, they maintain that the actions of a sick person are equal to those of a healthy individual. If a sick person gives away all their property, no one can contest it. The restriction of the actions of the sick, based on the illness of death, is considered an opinion reliant on blocking potential means, a concept they reject. Their dedication to textual references and their dismissal of opinion-based reasoning led them to establish rulings considered extraordinarily unconventional.

This section explains that Islamic legal theorists and jurists have determined that any juristic opinion, whether from the Zahiri or any other juristic school, must be supported by strong evidence, which has implications for the decision to accept opinions from within the Zahiri school of jurisprudence and other jurisprudential schools outside of the four primary schools. If the evidence is weak, the opinion is rejected.

The Zaidi school's founder, Imam Zaid bin Ali, is mentioned in the section on the school's history as basing his jurisprudential school on the hadiths and jurisprudence of Ahl al-Bayt (the members of the Prophet's household) as well as the hadiths and jurisprudence of the Companions and opinions grounded in reason and rationality. The section also notes that, in terms of the process of deduction, the jurisprudence of the four well-known Imams of the primary schools of jurisprudence is quite similar to that of the Zaidi school. Furthermore, the majority of jurists agree that Imam Zaid's jurisprudence contains nothing that contradicts the hadiths of the authentic Sunnah.

The Zaidi school foundations are consistent with those of all other schools of jurisprudence; they concur with the majority of jurists on an asl and with certain other jurists on another. Additionally, the section also notes the foundations of the Zaidi school are the Holy Quran and the known Sunnah, ijma', qiyas, istihsan, masaleh mursala, istishab and rational evidence.

According to Zaidis, the rule of reason refers to giving precedence to definitive rational issues over the Holy Quran and Sunnah in the context of istidlal. The purpose of this is to direct the Imams of the school to the necessity of reason and its rulings before delving into the texts of the Noble Shari'ah, and directs to the importance of going back to those rulings based on reason when there is no text available.

As for the Jafari school of jurisprudence, it is named after Imam Jafar al-Sadiq (peace be upon him), and it is the jurisprudential school of the Imami Shi'tie sect, the Jafariyyah. The foundations of this juristic school are the Quran, Sunnah, ijma, and reason.

The Encyclopedia clarifies that the precise meaning of 'rational evidence' among the early Ja'fari scholars is not distinctly apparent. Nevertheless, interpreting the expressions of contemporary and later scholars allows us to infer that 'rational evidence' that correspond to the Quran and Sunnah, refers to insights independently derived by the mind with such certainty that they inform Shari'ah rulings.

The Encyclopedia further elaborates that independent reasoning, or ijtihad, within the Ja'fari school is not universally accessible. It is permissible only during the Imam's occultation and is reliant on the established teachings of the Imam. Hence, their ijtihad stems from their Imams' teachings.

The second section of this part focuses on fatwa issuance based on the opinions of independent jurists. This is divided as follows:

The first division involves issuing fatwas according to the views of the Prophet's Companions who were independent jurists. This section mentions Companions renowned for frequently issuing fatwas such as Abu Bakr al-Siddiq, Umar bin al-Khattab, Uthman bin Affan, Ali bin Abi Talib, Muadh bin Jabal, Abdullah bin Masud, and Zaid bin Thabit. It also highlights Companions known for issuing fatwas less frequently such as Abu Huraira, Abu Musa al-Ashari, Abdullah bin Amr bin al-As, and Abu Sa'eed al-Khudri.

The second division pertains to fatwa issuance based on the statements of independent jurists among the Tabi'un (followers of the Companions). This section discusses two examples of defunct jurisprudential schools: the schools of Imam Ibn Shihab al-Zuhri and Imam Laith bin Saad.

The third division centers on issuing fatwas informed by the statements of independent jurists from among the followers of the four renowned Imams. Examples of these independent jurists include followers of the Hanafi school (represented by Imam Abu Ja'far al-Tahawi), the Maliki school (represented by Imam Shihab al-Din al-Qarafi), the Shafi'i school (represented by Imam Muhyi al-Din al-Nawawi), and the Hanbali school (represented by Imam Abu al-Abbas Ibn Taymiyyah).

Lastly, the Encyclopedia presents a brief biography of each of these Imams and elucidates the jurisprudential approach adopted by each.

6- Issuing Fatwas According to the Ibadi School

The Ibadi school is an example of Islamic cultural diversity. Its foundational jurisprudential principles and legislative sources do not deviate from those of other Islamic schools. Egypt's Dar al-Ifta, underpinned by its moderate Azhari approach, embraces a modern interpretation of Islamic jurisprudence. It derives inspiration from the spirit and objectives of Islamic Shari'ah, extending its exploration of Islamic jurisprudence by considering different viewpoints, making comparative analyses, debating their evidences, and evaluating them. It does not confine itself to the four primary schools, but includes the four secondary jurisprudential schools—Zaidi, Imamite, Ibadi, and Zahiri—along with the four major schools: Hanafi, Shafi'i, Maliki, and Hanbali. Collectively, these eight schools cater to the diverse needs of the global Muslim community.

Given this perspective and understanding, the General Secretariat for Fatwa Authorities Worldwide chose to dedicate this segment to discussing the issuance of fatwas within the Ibadi School as a branch of the broader study of jurisprudence and emphasizes the muftis' depth of understanding, breadth of intellect, and degree of connectedness to reality. It specifically explores the search for reliable Shari'ah rulings to address situations not found in the four renowned schools, intending to facilitate people's lives and guide their actions.

This section discusses the origins of the Ibadi school, its roots, legislative sources, and its most significant fatwas. It further shows that the Ibadi school is attributed to Imam Abdullah ibn Ibadh. Abu al-Sha'tha Jabir ibn Zaid al-Azdi, a renowned Tabi'i, jurist, hadith scholar and exegete, established the school's foundations and principles. He is known for narrating hadiths from Aisha, the Mother of the Believers, and a considerable number of other Companions.

Among the seminal opinions of Imam Jabir ibn Zaid are the prohibition of wiping over the khuff (leather socks), the obligation of zakat on women's jewelry, the validity of a fast for someone who unintentionally eats or drinks after dawn, and the recommendation to refrain from intercourse with a menstruating wife.

Abdullah ibn Ibadh, to whom the term "Ibadi sect" is attributed, was presented as a spokesperson to debate opponents of the Ibadis and openly speak on their behalf, a role that earned him recognition among the public.

The most important terms, ideas, principles of the Ibadi school are elucidated along with a discussion of theological and jurisprudential terms, terms related to notable figures, and political terms.

This segment likewise explores the biography of prominent Ibadi figures, identifies the most distinguished authors and prevalent fatwa books within the school and suggests that the majority of Ibadi jurisprudential books can be categorized as fatwa texts, as even the comprehensive legal encyclopedias authored by their scholars are often presented in a Q&A format. These inquiries, real or hypothetical, offer a holistic understanding of jurisprudential matters from all perspectives. These include:

- "Al-Mudawwana" by Abu Ghanim Bishr bin Ghanim al-Khurasani (d. 2 AH).
- "Al-Jami' Al-Mufid" by Abu Sa'id (d. 4 AH).
- "Al-Musannaf" by Abu Bakr al-Kindi (d. 5 AH).
- "Jawahir Al-Athar" by Muhammad bin Abdullah bin Ubaidan (d. 11 AH).
- "Ayn Al-Masalih" comprising responses by Sheikh al-Salih Imam al-Muhtasib Salih bin Ali al-Harithi (d. 14 AH).
- "Jawabat Al-Imam Al-Salimi" (d. 14 AH).
- "Al-Fatawa" by Ahmed bin Hamd al-Khalili (d. 15 AH).

This part also sheds light on issues where the Ibadis diverge from other Islamic schools of jurisprudence. As delineated, there is no considerable scholarly differences between the Ibadis and other Islamic schools in jurisprudential matters, especially in regards to acts of worship. The extent of disagreement often mirrors differences among the jurists of those respective schools or even the differences that exist within a single school. These differences are not the result of whims or fanaticism, but rather a number of variables, including:

1- Lack of explicit text concerning a certain issue.

2- Scholarly disagreement on the extent of the validity of the evidence used by differing scholars.

3- Contradictory evidence concerning a single issue.

4- Many jurists' tendency to adopt a more conservative and precautious stance.

Practical examples on these issues are provided, such as the key matters of discord between the Ibadis and other sects in worship jurisprudence, and critical disagreements in family jurisprudence.

In addition, a chapter in this section is devoted to discussing the reasons for the Ibadi school's decline and the regions where it spread. The Ibadi school went through expansion and contraction phases over the years. At times, its followers proliferated across countries, establishing numerous emirates. In contrast, at other times, the school diminished to the point that it is now mostly focused in Oman, with modest presences in some areas of Algeria and Libya.

This section's most important segment is dedicated to the legislative sources in the Ibadi school of jurisprudence and the process of issuing fatwas within this sect. It becomes clear through this chapter that the foundational principles and sources of the Ibadi school align with other Islamic schools of thought.

The legislative sources within the Ibadi school are categorized into two sections: universally agreed-upon sources and sources of contention. The universally agreed-upon sources consist of the Holy Quran, the Noble Sunnah, consensus (ijma), and analogy (qiyas) while the contested sources include istihsab, maslaha mursala, sadd al-dhara'i, shara' man qablana, and urf.

This section gives several instances of fatwas that demonstrate the Ibadi scholars' approach to issuing fatwas. These touch on contemporary challenges and the realities of Muslim life. They span all areas of jurisprudence, such as acts of worship, family law, commercial transactions, oaths and expiations, animal sacrifices, food regulations, clothing and adornment, punitive measures, inheritance laws, and medical fatwas. The section also delves into contemporary issues like the permissibility of in-vitro fertilization and energy healing (Reiki, which involves healing through the energy manipulation of the hand and eye).

All these fatwas have been issued by the Fatwa Office of the Ministry of Endowments and Religious Affairs in the Sultanate of Oman, which adheres to the Ibadi school of thought in issuing fatwas.

Section Three:

Sources of Fatwa and Fatwa Issuance

This section includes the following:

- Traditional and contemporary sources in fatwa and fatwa issuance.
- The importance of fatwa.
- Laws, regulations, decisions, and charters related to fatwa issuance.

1- Traditional and Contemporary Sources of Fatwa Issuance

The traditional and contemporary sources involved in fatwas and their issuance have received a lot of attention in the Egyptian Encyclopedia of Fatwa Sciences. The sources covered by this comprehensive scholarly encyclopedia are spread across seven volumes, of which three are devoted to historical sources and the remaining four to contemporary ones.

The Encyclopedia explains the rationale behind collating these traditional and contemporary sources; it underlines their importance in the context of the distinctive nature of the science of fatwa issuance amongst Islamic sciences and its link to the personal characteristics, upbringing, and culture of the mufti. Furthermore, it recognizes the importance of understanding the mustafti's conditions and environment. These sources, in turn, allow for a thorough examination of all fatwa schools that vary according to their methodologies and historical contexts. They also facilitate the identification of the foundational principles and guidelines followed by eminent mufti scholars. Given the considerable scope of jurisprudential fatwa issuance, current efforts to survey it are still a considerable distance from the desired outcomes and call for the amplification of research and scholarly endeavors. These sources serve as a fertile ground for such scholarly work. Consequently, this section of the Encyclopedia specializes in the traditional and contemporary sources of fatwa and fatwa issuance, limiting its focus to printed sources because of their wide distribution and ease of reference.

Firstly: The Methodology for Presenting Traditional Sources

The traditional sources in fatwa and fatwa issuance are categorized into two sections: one for traditional sources of fatwa issuance and the other for traditional fatwa sources. The first section pertains to the sources of fatwa issuance that concern the process of creating a fatwa, its regulations, and aspects related to the etiquette of the mufti and the mustafti, conditions of the fatwa, and so forth. The second section focuses on sources of fatwas and novel incidents, representing a practical aspect of the exercise of fatwa issuance. These sources are further divided according to different jurisprudential schools and are chronologically arranged within each category.

The "traditional section" refers to works authored up to the year 1200 AH. As for the method of presenting sources in both sections, it starts with introducing the author, followed by outlining the source and its contents. It then highlights the scientific value of the source before presenting examples from it.

Highlighted Examples from the First Section's Sources

The initial segment, focused on the theoretical science of fatwa sources, discusses several important references:

1. "Adab Al-Mufti Wal Mustafti" by Abi Amr bin al-Salah al-Shafi'i (died 643 AH). The Encyclopedia emphasizes the scholarly importance of this book as one of the most pivotal in its domain. It is a well-known text that has been referenced and quoted by scholars. Imam al-Nawawi, notably, paraphrased and abridged it, remarking on it and the works of Abi al-Qasim al-Saymari and al-Khatib al-Baghdadi saying, "I have perused the books of the three [scholars] and compiled a comprehensive summary of all the essential points they discussed, supplementing it with gems of wisdom from the Companions' discourse."

Imam Ahmad bin Hamdan al-Harani al-Hanbali subsequently integrated Ibn al-Salah's book into his own work, "Sifat Al-Fatwa Wal Mustafti." This was followed by Imam Shams al-Din Ibn Qayyim al-Jawziyyah incorporating it into his book "I'lam Al-Muwaqi'in 'An Rabb Al-Alameen". Sheikh al-Islam al-Taqi a-Subki and his son al-Taj al-Subki also cited it in "Al-Ibhaaj Fi Sharh Al-Minhaj". Additionally, al-Taj al-Subki referenced it in his "Tabaqat Al-Shafi'iyah Al-Kubra". This chain of scholarly exchange and learning from preceding luminaries extended until al-Suyuti, who quoted from Ibn Al-Salah's book in his works "Adab Al-Fatwa" and "Al-Radd 'Ala Man Akhlad Ila Al-Ard Wa Jahil An Al-Ijtihad Fi Kull 'Asr Fard".

In his book, Ibn Al-Salah sought to blend the methodologies of hadith scholars and jurists. He frequently cites opinions along with their chains of transmission and diligently frames the narrations he recounts, hence drawing from hadith scholars in this aspect. Conversely, he also quotes from jurisprudential and foundational sources, referencing the viewpoints of jurist Imams on issues he addresses, often highlighting differing opinions and generally assessing the various perspectives.

The Encyclopedia further notes that this book is unique in that it delves into numerous detailed theoretical and practical aspects of fatwa science. Alongside discussions on the division of ijtihad, emulating a deceased jurist, and the judge's fatwa, it also examines some intricate issues in fatwa methodology that can be beneficial in fine-tuning modern fatwa mechanisms. Examples include the process of composing a fatwa, its opening and conclusion, the strategy for addressing inheritance matters, which issues are appropriate for issuing a fatwa on, when to provide a general fatwa, how to concisely frame an answer, among other nuanced topics.

2. "Al-Ihkam fi Tamyiz al-Fatawa 'an al-Ahkam" by Shahab al-Din al-Qarafi al-Maliki (died 684 AH). The educational value of this book lies in its unique approach within its domain. It amalgamates various discussions untouched by preceding authors. Notably, it meticulously differentiates between the actions of a mufti, a judge, and an Imam ruler in an exceptionally simplified manner, by posing various critical and intricate questions such as the basis of each action - whether it is the textual evidence and proofs or both together, and discussing the authority and potential repeal of the judgments issued by each.

Throughout the book, the author draws on the Quran and Sunnah where necessary, as well as referencing established principles of jurisprudence. The author further elucidates on different scholarly opinions, particularly between the Maliki and Shafi'i schools of jurisprudence, presenting the opinion of the majority of scholars and loci of consensus, thereby enhancing the book's robustness and authenticity.

The book concludes with essential guidance for a mufti, such as taking into account the prevalent customs in the enquirer's country, avoiding hasty conclusions from a layperson's general phrasing until their intentions become clear, considering the enquirer's school of jurisprudence, and ensuring precision in the response to avoid overcomplication or oversimplification.

3. "Uqud Rasm al-Mufti" and its commentary by Ibn Abidin, the prominent Hanafi Imam of his era (died 1252 AH). This book is a didactic poem crafted by Ibn Abidin to outline the principles of fatwa following Imam Abu Hanifa's school. The text elucidates Hanafi terminologies, the accepted foundation for fatwas, and essential rules and guidelines.

The poem is unique in its representation of the art of a mufti in the Hanafi school and stands as one of the most comprehensive collections of fatwa principles, thereby serving as a significant reference for those studying fatwa sciences, particularly within the Hanafi method.

Ibn Abidin himself provides commentary on the poem, enhancing its value by clarifying its ambiguities and expounding on its meanings. Given that the commentary originates from the poet himself, it offers unparalleled insight into his thoughts.

The scholarly value of this book lies in Ibn Abidin's meticulous use of references, referencing and accurately citing Hanafi sources. He also incorporates references from non-Hanafi sources across various jurisprudential schools, especially scholars who discussed fatwa topics in jurisprudence literature like al-Qarafi from the Malikis, and books focused on the etiquette of issuing fatwas, such as the book by Sheikh Ibn al-Salah. These elements enrich the commentary and establish its scholarly reliability.

The text also emphasizes outlining the fundamentals of the Hanafi school of jurisprudence, its layered issues, the most significant books considered authoritative within the school, and what is depended upon for issuing fatwas. It highlights certain missteps made by latecomers in transmitting the dependable positions of the school, and the potential dangers of journalists - who solely rely on books - issuing fatwas. These points are highlighted with clear and illustrative examples, rendering this commentary an indispensable resource on the principles of fatwas and the authoritative rules within the Hanafi school.

Notable sources from the second section:

The second section, dedicated to sources of fatwas and traditional issues and challenges, discusses several noteworthy resources:

1. "Al-Natif fi al-Fatawa" by Abu al-Hassan al-Sughdi al-Hanafi (who passed away in 461 AH). The Encyclopedia mentions that the author of this book paves the way for shaping jurisprudential rules in a contemporary style. This approach offers muftis a practical resource when issuing fatwas, incorporating a spectrum of Islamic jurisprudence tradition.

The Encyclopedia also mentions the academic value of this book, underscoring its unique statistical approach to rule formulation. Al-Sughdi assembles scattered principles from various places, ensuring that he has encompassed all potential scenarios in the rules he compiled. His writings delve deeply into his classifications and presents different facets of each issue, often linking his discourse to real-world situations. His book hence marries logic and realism, abstaining from explanations and justifications and focusing on crafting general and specific rules in a succinct manner, thereby simplifying the tasks of adjudication, issuing fatwas, and teaching.

Al-Sughdi also attributes diverse opinions to various schools of jurisprudence and eminent scholarly jurists, whether they belong to his era or the era of the Companions and their Successors. Additionally, The book also distinguishes out because it avoids engaging in debates regarding jurisprudential principles and presents them without any theorizing, approbation, or opposition. This unique feature potentially makes this book an engaging reference in the discourse of codifying Islamic jurisprudence. The book further distinguishes itself by meticulously and accurately collating views from Sunni and non-Sunni schools of jurisprudence, presented with brevity, clarity, impartiality, thereby showing a rejection of sectarian bias and the elevation of individual viewpoints.

2. The "Fatwas of Ibn Abi Zayd al-Qayrawani" is a comprehensive work by the renowned Moroccan scholar Abu Muhammad Abdullah Ibn Abi Zayd al-Qayrawani (died 386 AH). He is often referred to as 'The Young Malik'. This important compilation incorporates a multitude of fatwas by Sheikh Ibn Abi Zayd al-Qayrawani, which are scattered throughout his scholarly works, both in print and manuscript form.

The book is academically invaluable, as Sheikh Ibn Abi Zayd al-Qayrawani provides a connecting link between early and later followers of the Maliki school. His works, such as 'The Epistle,' 'The Comprehensive,' 'The Unique,' and 'The Additions,' serve as a transitional conduit between these two periods. These compilations thus hold substantial importance in understanding Maliki jurisprudence, its evolution, and various phases. This aspect particularly stands out in Sheikh Ibn Abi Zayd's fatwas, especially when they are systematically organized and classified in a cohesive sequence, facilitating scholars' interpretation and understanding. The book makes a commendable attempt to compile all the Sheikh's fatwas, going beyond the printed sources and delving into his manuscript sources. The importance of Ibn Abi Zayd's fatwas can be traced to two aspects:

Firstly, the jurisprudential perspective: These fatwas offer an insight into the scholar's jurisprudence, showcasing him as a jurist adept at dealing with emerging issues with a marked Maliki inclination. This aspect becomes apparent as he responds to queries and stipulates rulings aligned with the opinion of the school. Furthermore, the Sheikh provides a nuanced take on jurisprudential disagreement, demonstrating his skills in correction, preference, and selection.

These fatwas also reveal principles and rules beneficial for muftis and students of Maliki jurisprudence, particularly concerning the concurrence and different opinions among Companions, and the choice of opinions among other aspects.

Secondly, the historical aspect: Every question presented in the fatwas offers a glimpse into the contemporary reality and societal nuances of the time. The historical dimensions evident in these fatwas include:

a. The religious dimension: Certain fatwas reflect the Qayrawanian society's devotion and commitment to observing religious teachings, its reverence for religious positions, and its efforts to promote virtue, and renounce falsehoods, disobedience, and conflicts. They also shed light on the prevalence of certain heretical beliefs and innovations.

b. The political dimension: Some fatwas elucidate the Qayrawanian society's (the Sunni Malikis) rejection of the rule of the Fatimid State. The school of Imam Malik was seen as a symbol of the Sunnah. These fatwas also portray a palpable sense of fear, oppression, and persecution experienced by the people.

c. The social dimension: Certain fatwas mirror the interest of the Qayrawanian society in certain issues such as the education of its young children, communal gatherings for holiday feasts, the widespread issue of poverty, a father's requirement for a gift from his daughter's dowry, women escaping from domestic abuse, and the enforcement of arranged marriages for sons.

d. Economic Dimension: Some fatwas illustrate the prevalence of distinct types of transactions such as advance payment sales ('Salam'), sharecropping, and irrigation. They also reveal practices concerning crop and olive protection, the widespread use of brokers, and the revocation of sales due to inherent defects.

Ultimately, these fatwas offer an insightful depiction of Ibn Abi Zayd's endeavor to derive solutions from the Quran and Sunnah, influenced by the actions of the Righteous Predecessors, while simultaneously addressing the contemporary needs of Africans in particular.

3. "Scattered Issues" or "Fatwas of Imam Nawawi" by Imam Muhyi al-Din al-Nawawi, a cornerstone of the Shafi'i school of thought (died 676 AH).

This valuable book is one of the most important and renowned fatwa books of the Shafi'i school of jurisprudence. It is attributed to Sheikh Imam Nawawi, a leading Shafi'i jurist, acclaimed for his extensive contributions in the fields of fiqh, hadith, language, and biography. His notable works include "Riyadh al-Saliheen," "The Forty Nawawi," "Minhaj al-Talibin," and "Al-Rawdah." He is celebrated as the editor and curator of the Shafi'i school, with Shafi'i jurists predominantly adhering to the positions prioritized by Imam Nawawi and Imam al-Rafi'i.

Imam Nawawi's fatwas are distinct in their precision and clarity of expression, avoiding verbosity or excessive length unless required. His fatwas address doctrinal disagreements, offering concise corrections in line with the methods of muftis. Moreover, his fatwas emphasize the importance of a mufti's participation in renowned fatwa councils, facilitating the enhancement of experience and understanding of societal norms, a practice exemplified by Sheikh Alaa al-Din Ibn al-Attar.

In addition to their meticulous accuracy and reliable basis, Imam Nawawi's fatwas are known for their diverse and comprehensive nature, spanning a plethora of topics such as purification, prayer, fasting, marriage, divorce, sales, loans, endowments, inheritance, custody, hunting, sacrifices, judgments, and more. Thus, scholars studying these fatwas will generally find solutions to the majority of their queries. Even with emerging incidents, they often discover a foundational jurisprudential fatwa within these rulings to reference or rely on, providing comfort and guidance.

Another distinguishing aspect of Imam Nawawi's fatwas is that they serve as a dependable resource for understanding the fatwas of previous Imams, such as Abu Hanifa, al-Shafi'i, al-Ghazali, and al-Istakhri, among others. The fatwas also incorporate a vast number of hadith-related rulings, touching on their validity and aspects of jurisprudence. Given the author's status as a recognized authority in hadith narration, these fatwas often provide his judgments on many hadiths, classifying them as authentic, weak, or dubious. This methodology significantly aids jurists and muftis in deriving and evaluating judgments.

4. "Al-Fath Al-Rabbani from the Fatwas of Imam Al-Shawkani" is a work by Imam Mohammed bin Ali al-Shawkani, one of the most prominent later jurists of the Zaidi school of jurisprudence (died 1250 AH).

This comprehensive book encapsulates most of what al-Shawkani articulated in his various letters and discussions across different fields of knowledge. The academic merit of this book is tied to its author's scholarly status. Generally, Imam al-Shawkani's works hold distinct value owing to his unique approach to presenting, discussing, and evaluating evidence, as well as his independent means of deriving evidence.

The book is especially important because it serves as a compendium of al-Shawkani's advisory opinions, gathered from his letters and responses to specific issues. The assembly and organization of these issues in one volume greatly facilitate understanding for readers and researchers alike.

The book also highlights the tremendous efforts of the renowned scholar Abu Mus'ab Mohammed Subhi Hassan Halaq who painstakingly transferred these letters, studies, and fatwas from the realm of stored manuscripts in certain Yemeni and Indian libraries to the world of print. Through his persistence, diligence, and divine providence, he managed to compile and publish two hundred and fourteen letters of Imam Al-Shawkani into twelve well-edited and printed volumes. These volumes contain research previously unknown to many scholars, some of whom were unaware of the existence of these works.

Moreover, this book, encapsulating Imam al-Shawkani's legacy, provides a connection between the various stages of knowledge evolution in the Arabian Peninsula, particularly Yemen and the Hejaz, at the dawn of the modern era. Al-Shawkani and his predecessor, Al-Amir Al-San'ani, are considered the vanguards of the renewal movement among jurists in the contemporary era in those lands and beyond.

Secondly, the Methodology for Presenting Contemporary Sources

The methodology for presenting contemporary sources for fatwa and fatwa issuance involves categorizing these sources into two main sections, mirroring the division of traditional sources. The first section includes contemporary sources for fatwa issuance, while the second comprises contemporary sources for fatwas and emerging issues. The term 'contemporary' refers to works authored by more recent scholars, from the year 1200 AH up to the present time.

The first section, focusing on contemporary sources for fatwa issuance, includes books discussing the methodology of issuing fatwas. This includes the etiquette and conditions required of a mufti, the related methods of qualification, training, preparation, and ordination, the decorum of the mustafti and their rights, and other aspects concerning the process of fatwa issuance, its principles, guidelines, standards, and rules. This also extends to elements of facilitation, determent, or practical considerations, as well as addressing potential anomalies and deviations.

The second section, which includes fatwa sources, pertains to sources featuring practical applications of the methodology of fatwa issuance. These are reflected in the scholars' diverse fatwas. In organizing contemporary fatwa books, a method of thematic categorization was adopted based on the nature of the source titles. Consequently, the books are divided into four categories:

1. Books of fatwas.
2. Books on emerging issues.
3. Books of answers.
4. Assembly decisions.

The presentation methodology for both sections involves introducing the author, the source and its content, highlighting the academic value of this source, and finally, providing examples from the said source.

Examples of Contemporary Sources:

1. "Fatwas of Muhammad Rashid Rida" by Sheikh Muhammad Rashid bin Ali Rida, the founder and lifelong editor-in-chief of Al-Manar magazine (died 1354 AH).

This book comprises close to a thousand queries across various jurisprudential topics in worship, transactions, and personal status. Additionally, the book includes independent studies by the author, most of which focus on contemporary issues such as the purity of alcohol-containing perfumes, the lives of Muslims in western countries, insurance companies, medical and Sufism-related matters, doctrines of sects, and the legality of constitutions and laws, among others. The author occasionally conveys the perspectives of some pre-eminent scholars from his era, such as Sheikh Muhammad Abduh, on certain matters, providing explanations and discussions.

Regarding the academic value of this book, it exemplifies scholarly communication between the mufti and the surrounding community. The majority of fatwas covered in the book are closely connected to human life during the author's lifetime, and many are still applicable today. As the

author clearly expresses his independence from any particular school of jurisprudence in his fatwas, choosing instead what he deems appropriate and correct, this book provides a glimpse into a specific phase in the evolution of the jurisprudence of fatwa issuance during that period. This remains the case whether his choices aligned with the predominant practices in the schools of jurisprudence or not. Furthermore, the book serves as a rich source of inherited scholarly opinions, which might otherwise be difficult to access.

Additionally, the book is characterized by its expressive simplicity and clear speech — employing articulate words and a steady style — in presenting fatwas and answers, in a manner befitting the nature of the mustafti and the community to which these rulings are directed.

In addition to all of this, the book includes responses to everyday issues from people across diverse regions and environments with scholarly research on these queries. This approach mirrors the method of drafting explanatory memos to elaborate on specific legal regulations. This unique method of handling fatwas satisfies the intellectual curiosity of the mustafti and broadens their understanding beyond a mere succinct response.

2. "Issues in Hajj Emergencies" by Dr. Ahmad bin Muhammad al-Khalil, a Professor of Postgraduate Studies at the College of Shari'ah and Islamic Studies at Al-Qassim University, Saudi Arabia.

This book's importance and scientific value stem from the plethora of modern dilemmas it confronts. For instance, al-Khalil commences his book with a topic, the issue in question is the wearing of the "stitched ihram", that has not been adequately researched before his work. He invests significant effort into it throughout the book, attempting to portray and contextualize it comprehensively. He extensively discusses this matter, focusing on the hadith of Ibn Umar concerning the attire of a pilgrim during ihram.

The book also reflects its relevance in contemporary times through topics such as aligning with the physical miqat, and the issue of initiating the state of ihram from Jeddah, owing to air travel circumstances, making the ihram process easier for pilgrims. Addressing these issues in his book, al-Khalil presents various opinions, engages in their discussion, and offers his perspective on the prevailing viewpoint.

The book addresses numerous contemporary issues, highlighting the need for understanding and clarifying their Shari'ah rulings as they become prevalent among people. For instance, it discusses the practice of receiving money to accompany Hajj campaigns, a trend among some scholars and specialists who assist Hajj missions by addressing their inquiries about rites and guiding them on the correct path, among other current issues.

The book also includes many opinions of contemporary scholars, positioning it as a source of the opinions of scholars, particularly those of the Hijaz, along with the decisions of the Council of Senior Scholars and the Permanent Committee for Research and Fatwa.

3. "Responses of Abu Al-Abbas Al-Kashti" by Sheikh Abu al-Abbas Ahmad bin Ali Ibrahim al-Kashti, a leading Maliki jurist in the Arab Maghreb (deceased 1374 AH).

This book's academic value is in its diverse collection of emergent issues that marked the transformative period when the Arab Maghreb entered the era of French protectorate. During this time, the region saw the rise of numerous new legal challenges. The book essentially chronicles the jurisprudential and fatwa evolution in the far Maghreb, particularly the Sousi society, during the first half of the twentieth century. It serves as an encyclopedia filled with important narrations from most Imams of the Maliki school throughout history. Abu al-Abbas provides accounts from all of his predecessors, starting with Malik and his disciples, up to the students of al-Dardir.

The book also highlights the author's exceptional skill in issuing fatwas. He addresses these new dilemmas with profound knowledge and wisdom. This expertise is especially apparent in his fatwas concerning the verification of moon sighting via telephone news - an unheard-of concept in Sous at the time - prayer gestures in public transport, injections during fasting, and more. He delivers Shari'ah-compliant solutions for these emergent issues and concerns that preoccupy the local community, demonstrating both skill and mastery.

4. Decisions of the Islamic Fiqh Assembly in Mecca

This book serves as an official record containing decisions issued by the Islamic Fiqh Assembly, a part of the Muslim World League. The assembly's unanimous decisions and recommendations were compiled in this book, containing 115 decisions reached during its sessions from the first to the seventeenth session held from 1398-1424 AH / 1977-2004 AD. The book was subsequently distributed among scholars, numerous scientific centers and institutions, Shari'ah departments, and a broad audience of readers, especially those engaged in religious studies.

The book's scientific value lies in representing the collective jurisprudential effort of the modern era. The Islamic Fiqh Assembly in Mecca comprises eminent Shari'ah scholars who were granted membership based on their profound knowledge and wisdom. This expertise is reflected in their fatwas, decisions, and rulings, both major and minor.

The assembly's decisions stand out for their diversity and comprehensiveness, encompassing most aspects that a Muslim may seek guidance on in daily life, regardless of their location, circumstances, or time. These decisions form a general set of fatwa principles that may be used to address a range of issues, occurrences, and situations relevant to one's surroundings.

The book is a commendable product of the Islamic Fiqh Assembly's efforts. The Assembly is a prominent Muslim organization that serves as the jurisprudential face and the scholarly arm of the Muslim World League. With its assembly of eminent jurists ceaselessly preserving the jurisprudential legacy and Shari'ah legacy of the Islamic country, it has assumed responsibility for the management of the affairs of the Islamic nation. By producing acurate Shari'ah rulings that serve as a guide for Muslims worldwide, the assembly works tirelessly to address their requirements. The decisions and fatwas issued by the assembly do not represent the work of a single scholar, but rather the combined efforts of eminent scholars from various places and backgrounds and specialized in a variety of fields, including language, Shari'ah, hadith, economics, religious principles, and jurisprudence.

2. The Importance of Fatwa

A fatwa authority's primary responsibility is to respond to inquiries from people of diverse ages, professions, and characteristics. These inquiries may be about ceremonies, transactions, personal status issues like inheritance and marriage, or other subjects needing a ruling from the Shari'ah. This underscored the need for a well-organized structure for these fatwas to ensure that their value was maximized. Hence, a treasury was established for the fatwas issued by Egypt's Dar al-Ifta.

This guide defines the treasury as a "tool for collecting terms that are structurally regulated and systematically arranged within an accepted framework among a specific user group. The terms are semantically interlinked through a network of referrals, showcasing relationships of synonymy, specificity, and linkage, thereby ensuring the effectiveness of the meaning and content."

The reasons for issuing a treasury for fatwas include:

1. Regulation of fatwa-related terms.

2. Uncovering and retrieving fatwas recorded in Egypt's Dar al-Ifta.

3. Serving as a crucial tool for the fatwa counselor in selecting appropriate terms when composing a fatwa.

The significance of a treasury, or a resource center, in our current era is rooted in its role in the information age. With the exponential growth in published information, fully comprehending even a specialized subject area has become challenging for researchers. The sources of this information are diverse in language and method, and the preservation forms vary. Intellectual topics have broadened, their associated concepts have intermingled, and users' needs have become complex, posing a challenge to information service providers. Therefore, there is an urgent demand for a precise, subject-focused analytical method. This method should ensure efficiency in time usage, accuracy in retrieval, and ease of use for researchers. The treasury serves as one such modern information retrieval tool.

The Encyclopedia emphasizes that constructing a treasury dedicated to religious sciences is a complex task. It necessitates proficiency in Shari'ah sciences, language fundamentals, comprehension of word meanings and their historical context, and knowledge of treasury building rules. Therefore, crafting a treasury specializing in Shari'ah and religious sciences requires a team of experts working in unison on a pre-established methodology.

In this section, the Encyclopedia reviews the historical emergence of Egypt's Dar al-Ifta, its role, standing, and the departments within it that are related to issuing fatwas. The Encyclopedia also addresses the various types and functions of treasuries, and the Arabic and foreign programs used to build online treasuries.

The section also demonstrates the means of constructing a treasury for the fatwas issued by Egypt's Dar al-Ifta, serving as a blueprint for creating numerous religious treasuries.

Additionally, this part elucidates how to analyze fatwas, especially those issued by Egypt's Dar al-Ifta with the aim to identify terms used in fatwa writing. It also examines fatwas from a thematic perspective, with the objective of identifying subjects of inquiry and creating a categorization tree for these subjects. A single fatwa, although encapsulating a singular subject in its title, might encompass multiple Shari'ah rulings within its details and foundation. These subjects will only come to light through the technical processes conducted by library and information specialists, or by constructing a dedicated treasury for these fatwas.

The Encyclopedia has recommended linking the index cards from the treasury directly to the original texts of the fatwas. This would provide real benefits for the fatwa counselors and Shari'ah researchers, enabling them to extract topics covered in the fatwas more efficiently. It also advocates for training these individuals on how to use the treasury, suggesting the provision of a course on its operation to facilitate its use.

3. Laws, Regulations, Statutes, Decisions, and Charters Related to Fatwas:

With the rise of standardization movements for diverse administrative and functional affairs in modern times, Arab and Islamic nations have promptly established regulations for various roles, including the issuance of fatwas. As fatwa issuance isn't merely a job but embodies a value and a mission, a series of charters have also been formulated, and numerous related documents and decisions have been promulgated.

This section showcases these laws, regulations, statutes, decisions, and charters related to fatwas and their issuance, providing a valuable resource for researchers and those interested in this field to derive insights and perform analysis.

In this section, the guide enumerates laws, regulations, and statutes associated with the roles and organizations of official fatwas in the Islamic world, including:

- Laws, regulations, and statutes related to Egypt's Dar al-Ifta.
- Laws, regulations, and statutes connected to the Council of Senior Scholars in Saudi Arabia.
- Laws, regulations, and statutes pertaining to the Palestinian and Jordanian Dar al-Ifta.
- Laws, regulations, and statutes concerning the Supreme Council for Islamic Affairs in Bahrain.
- Laws, regulations, and statutes associated with the Sudanese Academy of Islamic Fiqh.
- Laws, regulations, and statutes connected to the Fatwa and Legislation Administration of the Kuwaiti Government.
- Laws, regulations, and statutes relevant to the Supreme Council for Fatwa and Grievances in Mauritania.

Regarding decisions, this section refers to decisions issued by fatwa bodies and fiqh councils. These include:

- A decision by the International Islamic Fiqh Academy concerning the utilization of unprecedented incidents, namely decision No. 104 (11/7), issued in 1998. The decision establishes the Academy's commitment to leverage the heritage of jurisprudential fatwas to find contemporary solutions. The decision advocates caution against fatwas that do not rest on a legitimate basis or adhere to legitimate evidence, and instead are based on illusory interests contravening the principles and objectives of Shari'ah. Furthermore, it calls on those responsible for issuing fatwas to consider the decisions and recommendations of jurisprudential councils, with the aim of streamlining, coordinating, and standardizing fatwas in the Islamic world.
- A decision by the International Islamic Fiqh Academy on Shari'ah purposes and their role in deriving rulings, namely decision No: 167 (18/5), issued in 2007. It articulates that the objectives of the Shari'ah encompass meanings, general judgements, and goals the legislator intended to achieve through legislation, for the benefit of individuals both in this world and the hereafter.

Secondly, the act of considering the objectives (maqasid) in legal reasoning (ijtihad) serves numerous purposes. These include:

1) Providing a holistic perspective on the texts and rulings of Shari'ah law.

2) Recognizing the objectives of the Shari'ah as key factors to consider in the different interpretations among jurists.

3) Comprehending the outcomes of individuals' actions and applying Shari'ah rulings accordingly.

Thirdly, the varying levels of the objectives of the Sharia'h present a fundamental and fitting framework for human rights.

Fourthly, the importance of recalling the objectives of the Shari'ah within legal reasoning (ijtihad) cannot be understated.

Fifthly, the correct implementation of these objectives does not hinder or nullify the implications of the Shari'ah texts and appropriate consensus.

Sixthly, it is essential to study the many facets of the objectives of the Shari'ah across various fields such as the social, economic, educational, and political.

Seventhly, the impact of recalling the objectives can be seen in the correct interpretation of Shari'ah discourse.

Eighthly, applying the objectives of the Shari'ah in determining its rulings on contemporary financial transactions and other incidents is crucial. This approach enables the creation of distinct Islamic formulas and products and maintains their independence from traditional formulas.

As for the charters that regulate and legislate fatwas, the Encyclopedia references several such charters. Notably, the Cairo Declaration issued by the General Secretariat for Fatwa Authorities Worldwide in 2016 includes several key points:

- We respect the divine decreed diversity among individuals and view it as a path towards cultural, religious, and intellectual integration.
- We believe Islamic doctrines reflect God's mercy for His creations, provided their adherents respect the etiquette and principles of disagreement.
- We affirm that no particular group or organization monopolizes Islam. Instead, it serves as God's mercy for all creatures, unifying all community members under one inclusive umbrella.
- A bond of Islamic brotherhood exists between each Muslim and his fellow Muslim, paralleled by a bond of universal human brotherhood. Both connections represent kinship ties that must be respected and upheld.
- Muslims stand at the center of multiple integrated circles of belonging, starting from his family, homeland, nationality, and religion, extending to his relationships with humanity and the universe. These circles coexist without contradiction, underpinned by mutual support and complementarity.
- Preserving the family, society's bedrock, and maintaining kinship ties are both essential for fostering healthy societal relations. Indeed, upholding them is part of preserving our human identity.

- A Muslim's love for his homeland forms part of his faith. A Muslim seeks to serve and benefit his country, viewing this as a religious duty. As such, he becomes an active participant in its development and progress, committed to his responsibilities and exercising his rights therein.
- Respecting local laws and constitutions, as well as adhering to international and humanitarian treaties and agreements, is a demonstration of both moral and religious loyalty. It is one of the measures ensuring the preservation of the overarching objectives of Shari'ah.

This translation also includes the Jurisprudence and Fatwa Tolerance Charter, which was released by the Fifth Conference of the General Secretariat for Fatwa Authorities Worldwide in 2019. The Charter emphasizes several key values, which serve as guiding principles:

- Mercy: This principle underscores the importance of valuing human connection and tackling contemporary issues. It encourages a tolerance for differences in the fundamentals and branches of Islamic law, a rejection of fanaticism, and a consideration for Muslim minorities.
- Trust and responsibility: This value focuses on the preservation and understanding of the jurisprudential and fatwa heritage. It highlights the need to discern what can be applied in our era, and how it can be used for human development. It also involves facing challenges, combating extremism, and promoting stability and cooperation in jurisprudential and fatwa matters.
- Valuing knowledge and scholars: This principle emphasizes respect for various Islamic schools of jurisprudence and their primary and secondary sources. It acknowledges authorized scholars within them and promotes trust in them. It also advocates for respect towards all scholarly institutions associated with these schools and encourages adherence to knowledge and sciences that manage differences.
- Specialization: This value guides mustaftis towards seeking advice from specialized fatwa institutions. This approach aims to protect individuals from deviant opinions and society from harmful ideas.
- Peaceful coexistence: This principle deals with managing and ethicalizing doctrinal differences. It advocates for human progression, upholding internationally agreed charters and treaties, rejecting hatred, and utilizing jurisprudence and fatwas to confront extremism and support stability. It also encourages trust in Islamic legal scholars.

- Commitment to moderation: This value supports facilitation, safeguarding of interests, respect for objectives, and an awareness of reality. It fosters a sense of national belonging, opposes fanaticism, and takes into account the needs of minorities.
- Preserving identity: This principle values cultural diversity, encourages loyalty to one's homeland, and underscores the importance of preserving Islamic heritage.
- Respect for privacy: This value recognizes the right to follow a particular jurisprudential school or fatwa approach and pays attention to Muslim minorities.
- Encouraging ijtihad and innovation: This principle advocates for using differences to renew religious discourse and elevate humanity, while adhering to internationally agreed charters and drawing upon their general principles when making jurisprudential and fatwa choices.

In addition to these principles, the teacher also mentioned other important charters like the Fatwa Charter issued by the Muslim World League, the Fatwa Cooperation and Integration Document, and the Global Fatwa Charter project.

Section Four:

Qualification in Issuing Fatwas

This section contains several parts:

- A guide to fatwa issuance and fatwa skills.
- Research methods in fatwa studies.
- Future directions in fatwa.
- Fatwa formulation.
- Journey to mastery in fatwa issuance.
- Building capacities.

1- Guide to Fatwa Generation and Issuance Skills

The main concept of this work is to support the profession of fatwa issuance. This skill is seen as a deeply ingrained one that grows with considerable application in practice over time. This book stands out for two main reasons:

- The first aspect: It articulates this proficiency as a series of sequential procedural steps.
- The second aspect: It eases the process of acquiring this skill through training on a set of skills associated with issuing fatwas.

The structure of this book revolves around several focal points:

The first focal point: It formulates a concept of fatwa-issuance skill, delineated in specific points.

In this section, the skill is represented through a series of points, each illustrating an aspect of the skill. Together, they provide a comprehensive mental understanding of the skill, outlining how to apply it in clear, sequential steps. By emulating these steps, trainees gain experience that develops into solid expertise over time.

The second focal point: It catalogs the skills required for issuing fatwas:

The enumeration of these skills relies predominantly on the practical experience of the team, accumulated over more than a decade of issuing fatwas. This period suffices to garner the practical experience necessary for identifying and documenting the skills associated with issuing fatwas. The team has listed fifty such skills, considered fundamental and indispensable for the fatwa process, in that they render all other skills redundant, and no other skills can replace them.

The third focal point: It outlines the steps to apply the skill:

In this section, the team delineates the practical steps for employing the skill, a process not explicitly defined in traditional or contemporary fatwa literature. Therefore, the team adopted a thoughtful approach, visualizing the mufti's position when using this skill, considering what they should prioritize and defer. All these considerations represent mental aspects that a mufti does not explicitly state in their fatwa but may subtly hint at. In many instances, they might embed these points implicitly in their speech without clear reference. Nevertheless, they concur that these considerations must be observed when issuing a fatwa. These steps are further illuminated with practical examples derived from actual fatwas.

The fourth focus: Categorization of Fatwa-Issuing Skills:

To optimize the use of these skills, they have been organized into three distinct courses, as follows:

1- Skills for crafting fatwas and implementation methods.

2- Methodological skills of fatwa issuance and challenges.

3- Utilizing related knowledge skills.

Each course consists of several units, each encompassing a set of interconnected skills, detailed below

The first module: Skills for Crafting Fatwas and Implementation Methods:

The first unit in this module examines the fatwa issuing process skills, starting with fatwa framing stage, the adaptation stage, application stage, and finally, pronouncing the ruling.

The second unit addresses the realities within which the fatwa functions, under the title of "Taking into Account the Reality of the Fatwa" which is vital since neglecting the practical implications of the fatwa and focusing solely on the issuance process could lead to shortcomings or errors. It is therefore crucial to understand the practical implications and consider

the impact of a fatwa, while dealing specially with emerging and novel circumstances. An integral part of recognizing these realities is considering the unique conditions of Muslim minorities living in non-Muslim countries, with a conscious acknowledgment of the varying customs and traditions from one society to another, and from one period to another.

The final unit delves into the means of fatwa issuance. Each means of issuing a fatwa necessitates its unique skill, in addition to the essential skills for crafting a fatwa. The principal medium of delivering the fatwa to the mustafti is through direct interaction, thereby prioritizing the skill of oral fatwa issuance. This priority is followed by its derivatives such as telephone fatwa, written fatwa in both its traditional and modern forms like the e-fatwa, and finally, the televised fatwa which is broadcasted over satellite channels.

The Second Module: Methodological Skills of Fatwa Issuance and Challenges:

The second module emphasizes the importance of observing precise scholarly aspects honed by jurists and muftis over the centuries. As a result, we have a scholarly wealth that serves as the foundational principles regulating the process of issuing fatwas, guided by clear and precise methodologies.

Leveraging this scientific wealth, the first unit of this course is titled "Fatwa Methodology." This unit equips the fatwa issuer with an understanding of the scientific methodology in question. It addresses the skill of issuing a fatwa according to the adopted school of jurisprudence, assuming the issuer strictly adheres to one school. However, if they aim to expand the scope of the fatwa by selecting from various jurisprudential schools, skills such as jurisprudential selection, jurisprudential synthesis, resolving discrepancies, and accommodating discrepancies are introduced to regulate the process of drawing from our entire jurisprudential heritage.

The unit also considers the skill of utilizing the fatwas of jurisprudential assemblies and facilitating fatwa issuance. The skill of consultation in fatwa issuance is seen as a mechanism used by the issuer to fulfill the objectives of the Shari'ah such as alleviating hardship and promoting facilitation. The unit also discusses the skill of justifying the fatwa, taking into account the mustafti's circumstances, and providing them with comprehensible evidence to prevent doubt and confusion due to the proliferation of fatwas issued by unqualified individuals.

This unit, encompassing nine skills, stands as one of the largest, underscoring the importance of disciplined scientific methodology in the fatwa issuance process.

The second unit, titled "Skills for Addressing Fatwa Challenges" elucidates the means of managing the ambiguities and intricacies of the fatwa crafting process. It includes the skill of employing jurisprudential resolutions, rectifying people's dealings, emphasizing adherence to the objectives of the Shari'ah, and refraining from evading its rulings. Furthermore, the second unit includes the skill of differentiating rulings, establishing customary reality, and avoiding adherence to apparent meanings.

Finally, the last unit titled "Skills for Deriving Fatwa" covers a set of skills related to derivation. Derivation involves attributing matters not explicitly mentioned in the works of predecessors to a principle, rule, or branch due to similarity or suitability. It also includes transferring an explicitly mentioned ruling on a matter without one, a form of jurisprudential striving according to the principles and rules of jurisprudential schools.

The unit examines skills such as deriving a fatwa based on fundamental rules, jurisprudential rules, jurisprudential guidelines, and the skill of jurisprudential derivation.

The Third Module: Utilizing Related Knowledge Skills

A mufti requires a breadth of knowledge that extends beyond the necessary understanding of the Shari'ah and Arabic sciences. This knowledge assists them in performing their primary duty, which is to elucidate Shari'ah rulings to those who seek them. The required knowledge varies based on the diverse and evolving issues. Nevertheless, there are specific fields of knowledge that are highly pertinent to the fatwa process, such as the science of calculation, which is essential for those issuing a fatwa, particularly in matters concerning inheritance, estate division, zakat calculation, and similar topics.

The first unit titled "Shari'ah Calculation Skills" addresses the art of calculating inheritance, determining blood money and injury compensation, computing zakat, and making Shari'ah-based estimates. All these aspects aim to equip the individual issuing the fatwa with the knowledge of calculation pertinent to issues relying on it, hence saving time and effort by simplifying their duties.

The second unit, "Specialized Treatment Skills," encompasses skills related to knowledge that is integral to the fatwa process. These are akin to tools for the mufti, and mastering them is part of the preparatory process to deliver the most accurate fatwa possible. This unit even seeks to anticipate future issues that may necessitate swift research due to the rapid developments occurring within the realm of fatwa. It covers skills such as those for hypothetical "future" fatwas, seeking assistance from experts, conducting fatwa research, qualifying for partial ijtihad, effective communication, and discerning the eligibility of the mustafti. This unit provides the fatwa issuer with all necessary knowledge and technical expertise in various situations to optimize the use of sciences and knowledge that can serve the fatwa process.

The final unit is "Examining the Fatwa Skills." It introduces a new set of skills to fatwa practice, which many issuers might not consider. These skills include analyzing a fatwa, i.e., deconstructing it into its foundational components for the purpose of understanding the steps and stages of the fatwa process, potentially leading to the evaluation of the fatwa, hence the second skill - evaluating the fatwa.

The unit also discusses the history of fatwa and the skill of comparing fatwas, culminating in the ultimate task, which is the reconsideration of the fatwa. Since issuing a fatwa is a human effort susceptible to oversight, error, and forgetfulness, infallibility is a divine attribute granted only to God's prophets and not extended to others.

2- Research Methodologies in Fatwa Studies

Fatwa production forms a comprehensive and unique field of study with its own distinct principles and rules, setting it apart from other Shari'ah sciences, including Islamic jurisprudence. Given the growing interest in fatwa studies, there is an urgent need to apply scientific methodologies to this discipline, particularly at the university level, to ensure alignment with established scientific principles. This has led to the development of a practical theoretical subject focusing on research methodologies in fatwa studies, an important topic discussed in this section.

This section of the guide explains how to prepare for a fatwa study, including:

1- The choice of a research topic, which is considered the first step in the study. The selection process is influenced by various factors such as the researcher's depth of knowledge, frequent interaction with specialized professors, and familiarity with previous work in the field of fatwa studies, including master's and doctoral theses.

2- The development of a detailed research plan. The more precise and comprehensive the plan, the clearer and more defined the subsequent stages will be, resulting in a well-structured research study.

This section dedicates a chapter to research methodologies, stating that despite the diversity and multiplicity of these methodologies, fatwa studies have employed a broad range of scientific methodologies. The text has chosen those methodologies that are most compatible with the nature of fatwa issues: the descriptive, historical, and comparative approaches, and explains how to apply each in fatwa studies.

This section of the Encyclopedia also includes a chapter on the sources of fatwa studies, indicating that identifying, collecting, and recording sources are crucial steps following the setting and organizing of the research plan. This process prepares for a specific, detailed reading of everything directly related to the topic. The chapter highlights how to identify sources, benefit from them, and discusses the most important sources that a researcher can utilize in fatwa studies, including primary and secondary sources. It also discusses methods of accessing these sources, and how to categorize them in a way that facilitates their use, as well as how to reach the relevant scientific material in each source.

Furthermore, another chapter is dedicated to the scientific content for a fatwa study. It discusses the principles of selecting scientific material, means of gathering and formulating it, and the mistakes that should be avoided during the collection of scientific material. The discussion then shifts to the importance of margins and their role, the process of documenting quotations, statements, information, particularly the documentation of fatwas, along with the preparation of indices.

The section concludes with a chapter discussing the key skills that a fatwa researcher should possess during scientific research. These skills include extensive familiarity with fatwa literature and related materials, proficiency in Word software, computer research programs, and proficiency in internet use and electronic search platforms.

3- Futurism in Fatwas

In the modern era, futurism has evolved into a pragmatic discipline with the goal of identifying the broad patterns that consistently impact people's lives and the futures of their countries. As Islam carries a universal divine message, the scholars and muftis of our time are tasked with a weighty responsibility: forecasting the future, interpreting the rapidly shifting landscape around them, local or global. While traditional jurisprudence has a predominantly local focus, changes in the Arab and international spheres signal the dawn of a new phase in Islamic thought and discourse, one that possesses a global character that resonates with all peoples and nations. This shift is especially pronounced with the proliferation of communication tools and the global dispersion of Muslims, demanding a preparedness for this new phase by leveraging opportunities and circumventing risks.

The General Secretariat for Fatwa Authorities Worldwide recognized the need of addressing this issue in response to these factors and in accordance with modern times. It then included a chapter on the topic in its extensive encyclopedia, "The Egyptian Encyclopedia for Fatwa Sciences."

Moreover, foresight is intrinsically linked to issuing fatwas. It provides jurists with an expansive perspective and deeper understanding of jurisprudential matters and plays a crucial role in deriving and applying rulings. This foresight enables the fulfillment of objectives but requires careful handling to prevent overreliance on speculative forecasting which could lead to errors in the formation or implementation of Shari'ah rulings. Hence, only those elements which can be confirmed with certainty or high probability should be taken into consideration when forecasting.

This section addresses future forecasting and establishes its basis in the Quran and the Sunnah. It discusses the concept of futurism, its importance, origins, the position of the Shari'ah on it, and the prohibited and permitted methods of forecasting. Additionally, it explores the utility of futurism and future forecasting for preachers and muftis, the relationship between fatwa and future forecasting, and the importance of their integration.

In this section, an entire chapter is dedicated to fatwas and future forecasting. It introduces the novelty of the jurisprudence that anticipates the future and explains that it falls under the realm of "expectational jurisprudence." Despite its novel terminology, its importance is longstanding. Expectational jurisprudence aligns with what scholars of the Maliki school and others refer to as "anticipatory jurisprudence."

This jurisprudence, also known as "hypothetical jurisprudence" entails the jurist's effort to ascertain the Shari'ah ruling for potential future events, grounded in an understanding of reality, reliance on Shari'ah texts, and mindfulness of the objectives of the Shari'ah.

It is made evident that the concept of hypothetical jurisprudence was existent among scholars of opinion even before the time of Abu Hanifa. This school of jurisprudence was notably followed by Imam Hammad bin Abi Sulaiman, Abu Hanifa's mentor. These scholars were proficient in extrapolating causes, dissecting issues, and envisioning potential events, thereby paving the way for the School of Opinion, most famously represented by Imam Abu Hanifa and his disciples. They broadened this approach to such an extent that it even encompassed hypotheticals about the impossible and the improbable.

This chapter likewise underscores the importance of hypothetical fatwas. It highlights that foresight, alongside the readiness to confront future developments and challenges while adhering to present requirements, is a characteristic of sound reasoning and sound instinct. This was the methodology employed by the Prophets (peace be upon them) and adopted by scholars and jurists of early eras. By positing various issues and deriving rulings for them, these pioneers have left us an extensive intellectual legacy, manifested in countless books.

In our present era, there have been monumental advancements in knowledge, surpassing what our predecessors could ever have envisioned. With the emergence of new issues and phenomena requiring immediate rulings and resolutions, it is incumbent upon the scholars of this era to bridge this anticipated gap in jurisprudence. This is necessary for serving future generations, mirroring the service provided to us by our early scholars, especially given that Islamic law is deeply concerned with both the present and future benefits and harms and has established myriad principles to that effect. It is therefore essential to prepare for all foreseeable eventualities through foresight and proactive planning.

The chapter also outlines the benefits of hypothetical jurisprudence, including:

1- Bridging the anticipated gap in jurisprudence and preparing rulings for unforeseen issues and events prior to their occurrence.

2- Mentoring students of knowledge, stimulating their minds, refining their thought processes, expanding their perceptions, and enhancing their jurisprudential capabilities.

3- Easing the task for scholars of future generations when facing the issues of their time, by equipping them with a set of ready-made hypothetical fatwas from which they can select what suits their investigative subject.

4- Recognizing hypothetical jurisprudence as a mercy from God towards this Ummah. This shows the comprehensiveness of Islamic jurisprudence, with scholars addressing every conceivable subject, whether it has occurred or not. This ensures Muslims are not left bewildered when confronting unforeseen events, which would otherwise undermine the faith and the Shari'ah, portraying them as inept at addressing contemporary issues and incidents.

5- Indicating that no statement from esteemed jurists is ever deemed irrelevant; rather, their rulings are valued, anticipating application at the appropriate time and place.

Finally, the chapter suggests that a nation that fails to anticipate and shape its future cannot engage positively with its present. It remains entrapped in reactionary measures, contributing to stagnation and regression. Such a nation will be constantly surprised and resort to rushed solutions, inadvertently facilitating the execution of others' plans.

This chapter includes examples of hypothetical fatwas from our jurisprudential heritage. It elucidates that those who deeply consider the rulings contained in jurisprudential books will clearly identify a significant proportion as hypothetical fatwas. Even if the original authors did not directly indicate this, these rulings are essentially responses to queries raised to the mufti or issues the mufti might have assumed before explaining their rulings, as previously mentioned.

Additionally, a careful study of these books reveals a substantial array of issues that the mufti, in their era, would have considered impossible. Nonetheless, they explained their rulings, and some of these presumed impossibilities have since transpired in our times. This reflects the genius of those minds and serves as a valuable resource for contemporary scholars addressing modern jurisprudential issues such as artificial insemination, human organ transplantation, and more.

In homage to the early jurists, the final chapter of this part of the book is dedicated to future issues and their resultant fatwa implications. It examines numerous potential future issues and scenarios, including self-driving cars, robots (artificial humans), space colonization, a unified global government, and other such matters.

4. Fatwa Formulation: A Study of Its Concept, Features, and Regulations

Given the rise of unqualified individuals issuing fatwas in this era and the ensuing chaos and confusion among Muslims, the necessity for demonstrating proficiency and mastery in fatwa formulation becomes increasingly apparent. This skill involves a series of mental procedures unfolding within the mufti's mind, ultimately leading to the proper construction of a legal ruling pertaining to a specific issue or event. This process commences with visualization, then progresses through adaptation, judgment, validation, application, and the issuance of the fatwa. Rigorous scholarly research then distinguishes between established, legitimate fatwas and baseless declarations, serving as a vital shield protecting the community from succumbing to malevolent influences. A fatwa, as it is known, is a practical application bridging theoretical religious knowledge and the ever-changing tangible reality. This process adheres to specific rules and principles aimed at achieving the comprehensive objectives of Islamic law. Hence, issuing fatwas is an art, a craft, and a skill demanding a proficient and skilled practitioner. It calls for meticulous consideration of the worshippers' interests and the principles of Islamic law.

This section titled "Fatwa Formulation" compiles essential requirements for properly crafting written fatwas along with their fundamental elements. It provides knowledge of the crucial methods and skills that assist a mufti in formulating a fatwa skillfully and proficiently. It also underscores the vital means and strategies to enhance the mufti's fatwa formulation skill, discussing this subject in a practical and objective manner, using an accessible and appealing style that combines scientific authenticity and contemporaneity in information presentation. Thus, experts in the science of fatwas will find their objectives met, and non-specialists will obtain beneficial insights.

Writing and formulating a fatwa is among the most effective and potent forms, particularly in the present era. It stands out for its precision and firmness, preventing the enquirer's mind from scattering and enabling them to refer back to it whenever necessary. Fatwa formulation is a complex science necessitating specialized skills to execute and present in a correct form. It depends not only on knowledge of Islamic sciences, its main components, but also requires other parallel and supportive knowledge and skills. In recognition of this, the General Secretariat for Fatwa Authorities Worldwide has dedicated a chapter to fatwa formulation, expanding on the scientific and methodological knowledge and tools a mufti should possess. It also outlines the means and skills essential for mastering the art of fatwa formulation.

This section also discusses converting the skill of formulation — a defining characteristic of a mufti — into a set of actionable steps following a coherent scientific method. It addresses the primary requirements for the process of fatwa formulation and its implications on the overall fatwa procedure. The primary focus here is particularly on written formulation, because a well-structured, meticulously written fatwa creates a complete, robust ruling that meets all necessary conditions. It serves as a source of reference initially for the mufti, subsequently for the mustafti, and then for anyone seeking to understand the Shari'ah ruling.

A written fatwa attains this attribute only if it arises from a lucid methodology and style in its expression and drafting. The style should be precise, employing grammatically correct language characterized by clarity, free from linguistic errors, awkward phrasing, and ambiguous, ambiguous words susceptible to multiple interpretations, which could lead the mustafti into a state of confusion. The fatwa should instead be elucidative, clarifying any complexities, detailed when necessary, and succinct when brevity is required, ensuring no misconceptions are caused, thereby achieving the ultimate objective which is proficient fatwa formulation.

This section dedicates a chapter to the means for developing the skill of fatwa formulation. These are scholarly and skill-based.

The scholarly means include:

1. Enhancing Scholarly Knowledge

This refers to methodically expanding the mufti's knowledge base, thereby assisting in fatwa formulation. It entails a thorough understanding of revelation texts from the Quran and hadith, the practical application of jurisprudence principles, and focus on jurisprudential rules.

2. Strengthening Deductive Skills through Anticipatory Understanding:

Anticipatory understanding involves cultivating a foresight that envisions the future before its occurrence, achieved by examining the present. To practice this form of understanding, the mufti must engage in analysis and deduction, thereby fortifying formulation skills. This understanding goes beyond mere memorization of jurisprudential branches and minor issues. It is crucial for a mufti practicing anticipatory understanding to possess acute comprehension and conceptualization skills, be conversant with people's nature, be knowledgeable about the history of nations and civilizations, and be adept at analysis and comparison, among other capabilities enabling correct practice of hypothetical jurisprudence.

3. Emphasizing Balance and Criticism

This can be achieved when an adept mufti selects from jurisprudence books those most comprehensive and beneficial for developing the skill of fatwa formulation. One of the best methods to acquire the skill of balance and criticism involves studying books on jurisprudence, not to imitate them, but to understand their methods of discretion. By doing this, the mufti can comprehend the correct applications of the rules. He can observe how jurists and scholars derive evidence, reconcile different evidences, and apply general rulings to specific occurrences. This form of understanding is indispensable and cannot be replaced by the theoretical knowledge of jurisprudential principles' rules. Frequent exposure to these issues and branches fortifies the mufti's skills of evidence interpretation, deduction, and classification. Observing these applications offers insights into the more persuasive opinions in fundamental disagreements, thereby enhancing the skill of balance and criticism within the mufti. Theoretical discussions on disputed principles can be considered isolated from jurisprudential branches. However, when the mufti and jurist witness the branches of these disagreements and their outcomes, it brings them closer to identifying the most credible opinion, among other benefits.

Skill-based approaches include:

1. Training

Training aims to equip the mufti with the ability to independently reason and issue fatwas concerning contemporary, evolving issues. This level of proficiency endows an individual with the ability to carry forward the Prophet's role (peace be upon him) in explaining and conveying God's message. A mufti's qualification is completed through training and experience in applying rulings to fatwa scenarios. This is accomplished by studying under scholars who are experienced in this art and have had their wisdom and intellect sharpened by practice and experience. It also involves studying their fatwas, contemplating their sources, and understanding the methodology of applying rulings to situations.

2. Frequent Practice

While "practice" and "training" are closely related, they differ in certain aspects. Training for a mufti involves practical experience of applying rulings to cases in front of experts, alongside a theoretical understanding of fatwa materials. In contrast, practice refers to the consistent engagement and active participation in issuing fatwas, until it becomes a deeply ingrained skill. Obtaining this proficiency as a mufti requires not only theoretical qualification and training, but also regular practice and direct involvement. This helps to ingrain the skill of issuing fatwas.

3. Familiarization with Modern Research Techniques in the Shari'ah Domain

"Technology" here refers to contemporary tools, instruments, and technological resources relevant to the Shari'ah domain, such as computers and the services they offer. These allow for the operation and activation of e- Shari'ah encyclopedias and libraries, and provide access to the internet. The emergence of modern technologies, such as advanced computer software, compact discs that contain thousands of books, electronic encyclopedias like Al-Maktaba Al-Shamila, and the internet with its various research-facilitating tools like databases and search engines, assist the mufti and facilitates research and deduction.

5- The Journey to Mastery in Issuing Fatwas:

The mastery in issuing fatwas is defined as "a characteristic that necessitates its bearer to possess the ability to conceptualize and adapt to emerging situations, and subsequently apply Islamic rulings to them. This application may be achieved by referencing recognized schools of jurisprudence, by making deductions, or by directly extracting from evidence under established conditions while keeping the prevailing circumstances in mind at all times."

This definition encompasses the phases of the fatwa process, from conceptualization to adaptation and then the delivery of the ruling. This is applicable whether the mufti is not capable of independent reasoning and thus relies on established jurisprudential schools, or if they have reached the level of independent reasoning, enabling them to extract the ruling directly from the evidence, considering the prescribed conditions, and taking into account the reality in both scenarios — during independent reasoning or while referring to jurisprudential schools.

Mastery in issuing fatwas implies having the competence to carry out this process and excel in it, so that it becomes an inherent attribute of the mufti. The scholars' emphasis on this mastery is evident from their dedicated categorization of fatwa. Our scholarly heritage is abundant with substantial works that address the etiquette of issuing fatwas as well as the roles of the mufti and the mustafti, underlining the importance and seriousness of fatwas. They define the essential qualifications for a mufti to prevent those who are not suited for it from issuing fatwas, and state that ideally, the leading Imams capable of independent reasoning should spearhead the fatwa process. They extract rulings from known sources following the hierarchy of the evidence, and then issue a fatwa based on the conclusions their independent reasoning has led them to, while maintaining a thorough understanding of the prevailing circumstances.

Indeed, a mufti, in essence, should be an independent thinker capable of deriving rulings from evidence. Anyone who has not reached the level of independent reasoning is merely a transmitter of fatwas.

It is a well-known fact that the mastery in issuing fatwas varies according to the ranks of the muftis. The nature and substance of this mastery differ from one level to another. It includes the skills of direct inference, deduction, preference among different opinions, and identifying reliable sources within a school of jurisprudence. The books discussing the etiquette of issuing fatwas describe each level in a way that is appropriate to its rank. The proficiency of an absolute independent thinker differs from that of an affiliated independent thinker, which differs from that of a mufti who deduces rulings, which is not the same as the one strictly following a school of jurisprudence. The mastery of issuing fatwas varies among them according to their respective ranks.

Scholars have stipulated learning from a knowledgeable and reality-aware Sheikh as a requirement to acquire mastery in issuing fatwas.

This section of the Encyclopedia is intended to direct individuals who wish to lead in issuing fatwas towards the path of acquiring this mastery. It also serves as an introduction to the requirements that must be met before beginning the quest to acquire mastery in issuing fatwas.

Without a doubt, achieving mastery in any discipline is no simple feat that can be acquired in a brief period. It necessitates significant effort, perseverance, and numerous other conducive factors that guide the aspirant towards the goal. This truth applies to all areas of knowledge, where reaching the desired results demands considerable dedication. The challenge amplifies when the mastery we seek lies in one of the most intricate scholarly and practical specializations — issuing Islamic legal opinions or fatwas. Such an endeavor calls for doubled effort, unique readiness, and an appropriate environment for gradual mastery until reaching the level of a qualified mufti with a high level of expertise in issuing fatwas.

This section outlines the factors that facilitate achieving this proficiency in issuing fatwas. Moreover, this section elucidates the path to cultivating expertise in issuing fatwas, which includes:

- Excellent conceptualization of issues.
- Effective adaptation of issues.
- Training and qualification in jurisprudence.
- Proficiency in inference drawing.
- Expertise in deriving specific laws from fundamental principles.
- Proficiency in applying jurisprudential principles.
- Training in jurisprudential graduation.
- Experience in exercising preference among different rulings.
- Practice in extrapolating the relied upon opinions of a school of jurisprudence.
- Control over the jurisprudential mindset.
- Active participation in jurisprudential debates and discussions.
- Training and qualification in issuing fatwas.

- Proficiency in the stages of fatwa issuance.
- Practice in considering the variables that change the fatwa.
- Proficiency in considering the consequences of a fatwa.
- Regular review and reference of fatwa books.
- Familiarity with the methodologies of issuing fatwas and understanding of other muftis' perspectives.
- Embracing moderation in issuing fatwas.
- Maintaining consistency while considering variables.
- Integration of broad principles and specific applications according to the objectives of Shari'ah.
- Following a facilitation methodology within the boundaries of Shari'ah.
- Development of communication skills.
- Proficiency in communicating the Shari'ah ruling (issuing the fatwa).

However, it is essential to note that achieving mastery in issuing fatwas does not signal the end of learning and that there is no further pursuit. The level of mastery varies among muftis, implying that one should aspire for the highest levels. Furthermore, without regular practice, this expertise may wane or even disappear. Therefore, it is crucial to maintain this skill, nurture its productivity, deepen its impact, and incorporate anything that stimulates and hones it, extracting all beneficial and innovative aspects. Mastery is akin to a seed requiring fertile soil, hydration, and nurture until it grows into a bountiful tree.

6- Capacity Building

The fatwa commands a significant place within the Islamic jurisprudence system, and it is inconceivable for the Islamic community to endure without a mufti to instruct people about the rulings of their religion and direct them towards the decrees of God regarding every situation that arises.

The issuance of fatwas is a specialized discipline, replete with its own mechanisms and tools. Consequently, a mufti needs to exhibit moral qualities, scholarly abilities, and the expertise to perform the task of issuing fatwas accurately, aligning with the intent of the legislator. From this perspective, the importance of training, preparing, and qualifying individuals who undertake the task of issuing fatwas becomes undeniable. Upon reflecting on the wisdom of the predecessors and the teachings of early scholars, one can find corroboration for this notion. As Imam al-Qarafi says, "This is a momentous domain that necessitates profound discernment, abundant vigilance, luminous intuition, supportive experience, and divine support."

The need for attention to this discipline has grown more critical and urgent with the passage of time, changing circumstances, and the influx of emerging issues. Egypt's Dar al-Ifta, for instance, demonstrates this through its commitment to training those engaged in issuing fatwas, and by welcoming students from Shari'ah colleges across various Islamic nations. These students are eager to learn the craft of issuing fatwas and master its skills so that they can efficiently execute this task in their home countries upon their return.

In this era, there is a growing tendency for individuals to venture into the domain of issuing fatwas. Some claimants deceive the public by posing as legitimate fatwa issuers, causing widespread confusion. The Muslim community has borne the brunt of these actions, the consequences of which manifest in diverse ways. Due to the inexperience of some of individuals tasked with this vital responsibility, there is a clear lack of understanding of the principles of this great religion among sizable segments of the population, which has resulted in the neglect and dilution of many religious rulings. Uninformed leaders of extreme and violent groups have encouraged extremism to rise to heights of unbelief,

immorality, innovation, and even the spilling of innocent blood.

The participation of those unqualified to issue fatwas and their disregard for obtaining the required tools have resulted in all these repercussions and more. It is difficult to master this field without having the necessary tools, abilities, and understanding of its dynamics in relation to time, location, and various cultures and traditions.

According to the provisions of the International Charter of Fatwa, a product of the International Conference of Fatwa Authorities Worldwide titled "The Role of Fatwa in Stabilizing Societies," held from 17-19 October 2017, "Fatwa issuance is a science integrating cognitive and skillful aspects, or it is a combination of knowledge, training, and moral upbringing."

The Charter explains that fatwas differ from other specializations within Islamic scholarship and other natural, social, and human disciplines and that the foundation of fatwas is firmly grounded in the application of Islamic rulings to human actions. Additionally, the Charter states that in order to revive the practice of issuing fatwas, it is necessary to review the training techniques used by practitioners in each age, taking into account their qualifications in light of changing situations and conditions.

The Charter outlines the knowledge and expertise required for issuing fatwas, stating: "Scholarly observation suggests that the expertise and competencies needed for issuing fatwas center on three principles. Only those who have thoroughly studied, trained in, and practically applied these three disciplines can competently issue fatwas suitable to contemporary times:

1. The Shari'ah aspect: This entails knowledge of aspects of the Shari'ah and auxiliary sciences, as well as training in their application and engagement.

2. The social and human aspect: This involves a robust knowledge of contemporary social and human sciences and their foundational principles, coupled with the mufti's practice and training in areas relevant to fatwa issuance.

3. The natural sciences: A mufti is required to have considerable knowledge of the natural sciences which he may achieve by reaching out to experts.

Since the General Secretariat for Fatwa Authorities Worldwide has made it its first mission to advance the reality of fatwas, address the flaws of the fatwa process, and assist in changing its reality so that it can return as a professional process with its foundations and principles, it saw the need to compile a book that makes those who issue fatwas and those who approach them from among the students of knowledge more capable of mastering this science and realizing it lofty goals and functions.

This part of the Encyclopedia offers a blueprint for developing a fully competent mufti, proficient in understanding the Shari'ah and its objectives, and who is able to apply cutting-edge sciences and contemporary knowledge in their interactions with reality. Such a mufti is an example Islam's moderation by pointing people in the direction of Islam's higher ideals, which are expressed in prayer, self-purification, and the advancement of civilization.

The cognitive training of muftis is further laid out in this section of the Encyclopedia in a way that is consistent with the fatwa as a professional science needing the mastery of its instruments. Additionally, it explains the role of the mufti and their relationship to the different aspects of the fatwa, as well as the context in which they function (temporally, spatially, personally, and in terms of their roles), as well as their relationship to social sciences, which act as a reliable foundation to be used as a guide during the fatwa process.

Section Five:

Regulations of Fatwa Issuance

This section includes several components:

- The authoritative fatwa: Prerequisites and repercussions.
- The etiquette of the mufti and the mustafti: Theoretical concepts and practical applications.
- Jurisprudential regulations for contemporary issues and their influence on fatwa issuance.
- Fatwa issuance regulations for Muslim minorities worldwide.

1. The Authoritative Fatwa: Prerequisites and Repercussions

Given the gravity of the office of fatwa, it is essential for whoever occupies it to is prepared and aware of the importance of the position he is holding. The grave consequences of an unsound fatwa is not limited to the person who issued it but extends to the entire society, generating unrest and undermining security and stability. The repercussions of an unsound fatwa may even cause division in the Ummah.

The issuing of a fatwa is based on a set of regulations, components, and mechanisms that must be followed and all of which are the concern of the mufti. A fatwa passes through four fundamental stages in the mind of a mufti: The first is the conception stage, followed by the adaptation, determining the ruling and finally the response or issuing the ruling stages. These constitute the premise on which a fatwa is based and, if accurate and precise, result in an authorized and regulated fatwa. For this reason, it is crucial for the mufti to exercise caution during every stage of the fatwa process to avoid issuing an unregulated fatwa.

For the issuer of the fatwa, it is essential to fully understand the Shari'ah evidences and how to benefit from them as well as having a thorough understanding of the jurisprudence of reality in all its dimensions and circumstances. Then comes the process of connecting the two elements, understanding how to apply the Shari'ah ruling on context of the mustafti's question, taking into consideration customs, circumstances, the objectives of the Shari'ah and consequences.

Moreover, it requires an understanding of the public interest and taking into account customs, conditions, and applying objectives, among other things. It is through these various components that the aim of issuing a fatwa is achieved, which is to achieve the interests of the servants, maintain agreement with the pure Sharia, contribute to the stability of societies, and advance their burdens.

All this necessitates the learning of several disciplines and ethical principles, as well as a reasonable level of scientific and mental proficiency. This results in the capacity to deduce sound rulings from Shari'ah evidences and issue a fatwa competently and skillfully.

A sound fatwa is an art and a craft that only those with the necessary training can master. It is a practical process that connects theoretical Shari'ah science to our tangible dynamic reality while adhering to a set of guidelines and precepts that serve to further the overarching objectives of the Shari'ah. Therefore, when a fatwa is issued, it will meet the demands of the people, be in accordance with the honorable Shari'ah, contribute to societal stability, and allay the concerns of the people.

In conclusion, adhering to these regulations is a necessity for the successful implementation of the fatwa issuing process. This includes the preparation and review of the Sharia evidence, as well as the aim of the fatwa. The final step in this process is the issue of a fatwa, which should be in accordance with the pure Sharia, and contribute to the stability of society.

The General Secretariat for Fatwa Authorities Worldwide is committed to promoting the stabilization societies and fostering the craft of regulated and authorized fatwas. This section is dedicated to addressing the mechanisms of issuing, activating, and evaluating fatwa discourse with the aim of arriving at regulated fatwas in line with the principles of the Shari'ah, fulfilling the satisfaction of Allah, contributing to the stability of societies and nations, and promoting their development and prosperity.

This section outlines the requirements and characteristics of a regulated fatwa, as well as the primary reasons for any shortcomings and what may be done to address them. The section also discusses the elements, principles, and prerequisites required for the issuance of a regulated fatwa.

This section emphasizes that official fatwa institutions in the present era have a significant role in issuing a regulated fatwa discourse that adheres to Shari'ah standards in a moderate and balanced manner. This prevents them from veering towards extremism or laxity, making the fatwa a genuine starting point for individuals and communities towards achieving development and stability on all levels. It serves as a powerful tool that addresses and wisely resolves issues of extremism, terrorism, and apostasy.

This section furthermore emphasizes the important role that contemporary official fatwa institutions play in contributing to a regulated fatwa discourse that upholds standards of the Shari'ah in a moderate and balanced manner.

The fatwa becomes a legitimate starting point for people and communities to achieve development and stability on all levels since this keeps them from gravitating towards extremism or laxity. It works as a powerful tool that addresses and wisely resolves issues of terrorism, extremism, and excommunication. This is important because some extremist groups in our day have exploited the fatwa discourse to propagate their deviant and aberrant opinions on issues pertaining to the security and stability of states and society. These groups issue many misleading fatwas in an effort to misguide the public and further their own interests, vile political objectives, and implement their deadly terrorist agendas. Additionally, they work to discredit official fatwa institutions and their scholars.

From this, one can understand the importance of the balanced and regulated fatwa which is the means to preserving the five necessities that Shari'ah seeks to achieve, namely the preservation of life, religion, intellect, wealth, and lineage. It is, in fact, the cornerstone of the process of development, security, and stability. A regulated fatwa serves as a safety valve for all members of society and is one of the primary factors upon which the establishment of religion and life depends.

At present, the only ways to achieve this are to limit fatwa discourse to those who are specialized in it and to enact a binding legislative act for general application. This would determine the legal framework and procedural conditions to organize this field of fatwa and restrict it to qualified scholars at fatwa institutions and Islamic centers. This is crucial in concerns and issues pertaining to the public interest. It is likewise important to criminalize and punish any individuals who encroach upon this field with deterring penalties decided by authorities.

In order to restrict the issuance of fatwas to official fatwa institutions, it is essential to rehabilitate the role and institutions of fatwa in a way that ensures the discipline and integrity of the fatwa discourse, so that the fatwa can achieve its intended purposes and objectives.

2- The Etiquette of the Mufti and the Mustafti: Balancing Theory and Application

This section of the Encyclopedia offers a comprehensive overview of the etiquette required by both the mufti and the mustafti, seamlessly integrating traditional and contemporary approaches in presenting theoretical subjects. The discussion is accompanied by examples.

The nature of the mufti and mustafti, the domains of religious inquiries and types, and a bibliography of works that have explored the etiquette of fatwa issuance are discussed.

The chapter, devoted to the etiquette of the mufti, outlines the genral rules governing a mufti's etiquette, followed by the most important etiquettes that earn the trust the people. The etiquettes are divided into: those pertaining to the mufti's scholarly knowledge and those related to his conduct. The scholarly etiquettes are:

a- The mufti's accountability for his fatwa

If a mufti issues a fatwa based on ijtihad in a context where different opinions are acceptable, and if his ruling leads to the loss of property or life, he is not held responsible for the loss. He is accountable, nonetheless, in situations where ijtihad is prohibited and difference of opinion is not permissible.

b- Deliberation before issuing a ruling

A fatwa passes through four primary stages in the mufti's mind before it is communicated to the mustafti. These stages are conception of the issue or incident, adaptation, determining the ruling, and finally, issuing the fatwa.

Emphasis is placed on the conception stage which is an integral part of the process of issuing a fatwa. It is impermissible for the mufti to take a casual approach in his conception of the issue or hasten to issue a ruling before ensuring that he has a profound and comprehensive understanding of the issue at hand.

c- Giving a detailed answer when necessary

This section explains how a fatwa's structure — whether brief or detailed —depends on the nature of the issue at hand. If a thorough explanation of the issue is not required, the mufti focuses his fatwa on clearing up any confusion the mustafti may have and give a succinct, evidence-based ruling. However, the mufti is obligated to give a more thorough response when addressing more general concerns that affect people individually and society as a whole.

d- Citing evidence in the fatwa

If the mustafti is a layman, the mufti is not required to provide evidence to because such evidence often requires specialized expertise and knowledge of inference methods. However, if the mustafti is knowledgeable in the field, it is important to present evidence so they can comprehend the correct stance on the matter and feel confident in the response. A source-based fatwa must be supported by evidence since it is meant to be discussed and understood by scholars and other muftis, who may subsequently issue more fatwas based on it if it accords with their understanding.

e- Utilizing authentic sources for fatwa

The mufti should have an in-depth understanding of the primary sources, which include the Holy Quran, the Prophet's Sunnah, ijma', and qiyas. This is because these sources are agreed upon by Shari'ah scholars. The mufti must also be knowledgeable of the reference books accredited by the various jurisprudential schools, which will facilitate citing scholars' and jurists' opinions in the process of formulating his fatwa.

f- Consulting others when facing challenges

It is necessary for the mufti to consult other scholars and people of knowledge when encountering issues that pose difficulties. In the Shari'ah, consultation is strongly advised, particularly when issuing a fatwa because doing so is similar to conveying rulings on behalf of God Almighty.

g- Refraining from issuing a fatwa when the issue is ambiguous

There may be situations where the mufti refrains from issuing a fatwa due to various factors, such as lack of knowledge about the evidence, doubt about the strength or validity of the evidence, uncertainty regarding the reality of the case before him, or a conflict of evidence in the mufti's mind. Moreover, the matter in question might be categorized into multiple topics or divisions of jurisprudence, making it hard for the mufti to categorize it within the scope of a certain division. This stage is known as adaptation. During this stage, the mufti withholds judgment, often necessitating additional research.

The issue might be a novel issue that has arisen due to modern developments, making it difficult to categorize it within traditional jurisprudence divisions. In such a case, the jurist must resort to independent ijtihad, which requires further research and contemplation before coming to a decision.

h- Issuing a clear fatwa and abstaining from using expressions with unclear or multiple meanings

The mufti must properly and accurately formulate the fatwa in such a way so as to avoid using ambiguous words that would potentially confuse the mustafti.

i- Avoiding confusion for the mustafti

The mufti is required to clarify the fatwa to ensure that the mustafti does not fall into a state of doubt and uncertainty. The reasons that may cause confusion for the mustafti are varied and include the use of confusing language words, the use of words and expressions with numerous meanings, inaccurate expression of the fatwa, or digression – going off topic and then coming back to the original topic.

j- Making the mustafti aware of their own benefits

The mufti must guide the mustafti towards to what is beneficial in terms of religion and life. When doing so, the mufti should also avoid leaving any room for confusion or uncertainty. It is necessary for the mufti to be patient and ensure that the mustafti understands before issuing a fatwa that is neither biased in favor of nor against the mustafti.

The behavioral ethics include:

a- Sincerity of intention for the sake of God Almighty

It is obligatory for the mufti to first undertake their work with sincerity, seeking the pleasure of none other than God Almighty, and second to benefit people with what is good for them in the affairs if this world and in the next. The mufti must be constantly God-conscious in everything he says and does. If he achieves God-consciousness, God Almighty will guide him in his fatwas, and inspire him with truth and righteousness, and win him the love and affection of the people.

b- Seeking help and praying to God before issuing a fatwa

Among the behavioral ethics of the mufti is to seek help from his Lord and turn to Him before starting his fatwa to ask Him for inspiration, truth and success and to prevent him from making any mistake. He must also increase his supplications to God Almighty using Quranic verses and authentic prophetic hadiths narrated by the Righteous Predecessors. It is likewise desirable for the mufti to seek refuge in God from the accursed Satan, utter the basmala, praise God Almighty, and send peace and blessings upon the Prophet (peace and blessings be upon him) before embarking on the fatwa.

c- Exercising patience, showing kindness, and avoiding anger

The mufti should to be calm, patient, and dignified. Because the mufti is the inheritor of the prophets, it is imperative that he behave in accordance with their morals and adorn himself with their attributes, in order to successfully engage with the mustafti, and gain their trust and confidence in his fatwa which will increase their likelihood of accepting and following the fatwa. In addition, when a mufti is angry, he is unable to fully exercise his ijtihad or reflect on the case before him. Anger may also lead him to overlook certain crucial aspects and thus arrive at an erroneous ruling.

d- Impartiality and avoiding bias in issuing fatwas

The mufti must exercise caution in his fatwa to avoid favoring an opinion that aligns with the mustafti's desires. It is essential to avoid being lenient, which is reprehensible in the Shari'ah. The mufti should navigate the mustafti's circumstances and use the dispensations Allah has provided for His followers, such as the permissibility of what is normally forbidden at times of necessity. The mufti must likewise uphold justice and refrain from favoring the wealthy and influential over the less privileged.

e- Upholding the confidentiality of mustaftis

The mufti is under a duty of confidentiality; the mufti cannot divulge any information about the mustafti or disclose their secrets. In this matter, the mufti is like a doctor who has access to his patients' private matters and who must keep them confidential.

f- Maintaining a good appearance and moral conduct

The mufti must be modestly- and well-dressed; he must follow the Shari'ah in matters of purity and cleanliness. He must likewise avoid wearing silk, gold, or any clothing that includes forbidden elements. A mufti with a good appearance is more likely to have his words accepted by the people. Good moral conduct means that the mufti's actions and behavior must be consistent with the rulings of the Shari'ah. The mufti must measure his words against the scales of the true Shari'ah, for "in his position of elucidating God's commands, he serves as a role model for the people in his speech and actions."

This section also includes a chapter dedicated to the etiquette of the mustafti; it covers the general principles that guide the mustafti's etiquette and classifies the etiquette of the mustafti into scholarly and behavioral etiquette.

The scholarly etiquette includes:

a- The necessity of seeking a fatwa in the wake of an incident

The mustafti must seek a fatwa if they encounter an event or situation whose ruling they do not understand. This obligation holds true even if there is significant distance between the mustafti and the mufti, due to the obligation of following the Shari'ah in every matter. Acting without knowledge could result in committing a forbidden act or neglecting a vital aspect of worship.

b- The importance of consulting a competent mufti

The mustafti must seek out a mufti, who is competent, possesses the necessary traits, and adheres to the etiquette of issuing fatwas. It is unacceptable for the mustafti to consult an unqualified person whose opinion is not considered in line with the Shari'ah.

c- The fatwa should benefit the mustafti

The mustafti must ensure that their inquiry addresses a genuine need, that will benefit them in both this life and in the hereafter. The purpose of soliciting a fatwa should be to acquire knowledge and benefit; therefore, it is not permissible to ask hypothetical questions, trivial matters, complex or ambiguous issues, or those that could raise doubt, discord or the like.

d- The freedom to follow any school of jurisprudence

It is not an obligation for the mustafti to follow a particular school of jurisprudence in every circumstance. They are free to follow the opinion of any mufti they prefer. This is accepted as correct, leading to the common phrase, "The layman does not follow a particular school of jurisprudence; rather, his school of jurisprudence is the one of the mufti who issues a fatwa to him," i.e., the mufti who is known for his knowledge and justice.

e- The mustafti and difference of scholarly opinions

If two equally competent muftis reach different conclusions in response to the mustafti's inquiry, the mustafti is free to choose whichever opinion he wishes. The strength of each mufti's opinion is equivalent when they are equally competent. It is not advisable to give one opinion more weight than another without a compelling reason. The mustafti seeks a fatwa when an incident occurs in order to understand its Shari'ah ruling, and this can be achieved by following the opinion of any chosen mufti.

f- Revisiting the inquiry when the same incident reoccurs

It is advisable for the mustafti to inquire about the an issue every time it occurs. However, if it is a recurring issue and inquiring about it frequently becomes stressful, it is not necessary, and the first inquiry suffices to alleviate hardship and lift any difficulty.

g- Commissioning another to ask for a fatwa or via power of attorney

It is permissible for the mustafti to solicit a fatwa themselves or delegate a trusted person to seek a fatwa on their behalf. They may also accept a hand-written fatwa by the mufti, provided it is vouched for by a trusted person, or they recognize the handwriting and have no doubt about it. In some instances, the mustafti's personal presence is required, such as in divorce inquiries, or in situations that necessitate understanding the specific circumstances and conditions related to the mustafti's situation or incident.

h- Clear articulation of the inquiry

The mustafti should clearly articulate their inquiries, whether verbal or written. A verbal inquiry should be clearly expressed while a written inquiry should be phrased clearly and written in legible handwriting. If the mustafti struggles with articulation or writing, they should delegate the task to someone proficient in these areas.

The behavioral etiquette include:

a- Maintaining decorum with the mufti

The mustafti is expected to respect the mufti and must avoid using gestures such as pointing a finger directly at the mufti. He must also avoid asking him with questions like, "What do you remember about this and that," or "What does your Imam's doctrine say about this and that?"

b- Proper presentation of the question to the mufti

The mustafti speak in a respectful tone when addressing the mufti. They should avoid pressuring the mufti to issue an instant fatwa or rush him. The mustafti should likewise avoid casually addressing the mufti with his name and instead pray for his guidance, saying, "May God guide you."

c- Not insisting on evidences

This issue is elaborated in the section discussing the etiquette for the mufti.

d- The mustafti should refrain from putting the mufti to the test or causing public embarrassment

The mustafti should never make an effort to mislead the mufti with their inquiries. This may include asking the mufti questions that are meant to make him uncomfortable or embarrassed in front of others, or it might entail placing him in a precarious position. The mustafti should learn the art of asking questions appropriately, rather than creating or imagining scenarios to test the mufti.

e- Understanding the mufti's silence

The questioner should interpret the Mufti's silence correctly. They should not press the mufti to express an opinion. Sometimes the mufti's silence can be explained by his or her failure to comprehend the inquiry or by the absence of the mustafti. The mustafti should wait patiently and give the mufti enough time to properly understand the inquiry before responding. If the mufti remains silent because he is unsure about the subject, the mustafti should respect this silence and refrain from pressing the mufti for a response.

These etiquettes impact both the mufti and the mustafti. Each one impacts the other in a reciprocal process. Overall, observing these etiquettes has a significant impact on the process of issuing a fatwa. For this reason, the last chapter of this book is devoted to analysing how following fatwa etiquette affects the mufti, the mustafti, and society as a whole.

3- Jurisprudential Guidelines for Contemporary Issues and their Impact on Fatwa Issuance

A defining characteristic of the Islamic jurisprudential approach is its foundation on the principle of unification and differentiation. It gathers similar and parallel elements under a single rule, which can either expand or contract based on the jurisprudential variations in the branches of this rule. At the apex of the jurisprudential hierarchy are the five principal jurisprudential maxims: actions are judged by their intentions, certainty is not overruled by doubt, harm must be eliminated, hardship begets facilitation, and customary practices are authoritative. Following these are the overarching jurisprudential maxims, from which many jurisprudential maxims derive followed by the disputed maxims, and lastly, the doctrinal maxims.

These maxims are all subject to certain jurisprudential rules. For instance, the rule "customary practices are authoritative" is governed by common practice, as cited in the verse, "On the father is the mothers' provision and their clothing according to what is acceptable" (Quran, 2:233). A custom is authoritative when it is consistent with what is commonly accepted. Therefore, the guideline for a wife's and child's expenses is "what is generally agreed upon," and so forth. The importance of these guidelines becomes greater when they intersect with contemporary jurisprudential issues. The relevance of jurisprudential guidelines can be attributed to the following:

1- Recognition of the jurisprudential limitations that are not explicitly stated by jurists but can be inferred from their statements and implications.

2- Understanding the similarities, parallels, and distinctions between jurisprudential issues, thereby enriching and strengthening jurisprudential competence.

3- Acknowledgment modern developments and their impact on the modification of Shari'ah rulings, and the formulation of necessary guidelines for such changes.

4- Prevention of confusion among similar jurisprudential branches, thereby maintaining a unified pattern in jurisprudence and avoiding contradictions.

In summary, these guidelines facilitate the accurate derivation and proper application of rules.

This section of the Encyclopedia addresses the jurisprudential guidelines that correspond to contemporary developments, ensuring the accuracy of fatwa issuance.

The Encyclopedia defines a jurisprudential guideline as something allocated to a specific section of jurisprudence, intended to regulate similar circumstances with the aim of governing these situations. The distinction between a guideline and a maxim lies in the fact that a guideline pertains to one specific section, while a maxim is applicable across multiple sections. For example, "Certainty is not overruled by doubt," is a maxim since it is not confined to a specific section. However, statements such as "The original state of water is purity," or "The default in prayer is completion," and similar statements, are guidelines due to their specificity to certain sections.

Scholars can derive guidelines either directly from scholarly texts or by interpreting scholars' statements, with the latter requiring a profound comprehension of the scholars' discourse.

The treatment of jurisprudential guidelines is organized around five elements: formulation, explanation, authority, proof, and current implementations.

a- Formulation of the guideline

This section clarifies whether scholars have directly articulated the guideline, or if it was contemporaneously drafted by the team working on this Encyclopedia. If the guideline includes exceptions, its formulation is adjusted to account for these exceptions.

b- Explanation of the guideline

This part briefly defines terms that may be unfamiliar, both linguistically and technically. The aim is only to elucidate the term and state its intended meaning. The guideline is further illustrated, and its conditions are explained using clear language. If multiple technical definitions exist, the most precise and inclusive is chosen.

c- Validity of the guideline

This part discusses whether the guideline is universally accepted or disputed by jurists, and outlines the points and causes of disagreement.

d- Evidence for the guideline

This section lists the evidences upon which the formulators of the guideline relied, whether from the Quran, the Sunnah, ijma, qiyas, or otherwise. If there is no evidence other than the extrapolation of jurisprudential branches, this is identified, citing those branches.

The method of evidence is presented alongside the evidence itself, bearing the following considerations in mind:

- If the evidence comes from the Quran, the method of interpretation is drawn from books of Quranic rules, then the books of Quranic exegesis, and lastly from books of jurisprudence.
- If the evidence is from the Sunnah, the method of interpretation is cited from books explaining the rules of hadiths, then the books explaining hadiths, and from books of jurisprudence.
- If the evidence originates from ijma or qiyas, it is corroborated from the most respected and authentic sources.

e- Contemporary Applications of the Guideline

This section aims to address all contemporary issues related to this guideline, given the availability of sources and references. Each issue's treatment includes relevant fatwas issued by Egypt's Dar al-Ifta, the Islamic Research Assembly, or resolutions and recommendations from jurisprudential assemblies, fatwa councils, or recognized, reputable fatwa institutions. Each application or case study is described, using relevant published research material.

Concerning the jurisprudential rule, the principle upon which the case study is based is cited, along with the opinions of scholars on it. This is followed by the ruling of Egypt's Dar al-Ifta or other supportive fatwas and resolutions. Examples of guidelines include:

1- Anything that prevents water from reaching body parts for purification should be removed unless there is a valid excuse.

2- If a worshiper cannot perform any of the prayer's actions, it is exempted, but they must nonetheless carry out what they are able to.

3- Zakat becomes mandatory when wealth reaches the minimum required for zakat (nisab) and a lunar year has elapsed.

4- Deposit contracts are acceptable provided they are free of deception and harm.

5- What is permissible for engaged couples in physical interaction is also allowable through modern communication methods.

What is permissible for engaged couples to do physically is also acceptable when using modern means of communicating.

The Fourth Principle: Theorizing and Implementing Fatwas for Muslim Minorities

Among the most important topics in fatwa jurisprudence that call for particular study is that of Muslim minorities. This is a crucial and timely issue given the dangers confronting Muslims in non-Muslim countries, which have largely been fueled by the rise of terrorist and excommunicating groups. These groups grew in number mainly because of the prevalent state of religious and cultural ignorance, as well as a lack of the proper scholarly preparation and qualification for issuing fatwas.

The distinctive nature of fatwas for individuals residing in non-Muslim countries necessitates the clarification of the foundational principles that must be observed by anyone considered qualified to undertake such a grave matter. It is also essential to emphasize the need to consider the implications of these fatwas on individual Muslims and on the Islamic presence in these societies.

It should be evident to any discerning individual that treating these specific elements of the broader topic of fatwa with the utmost care and consideration can deter those who are unqualified, and reduce the exploitation of fatwas for the interests of groups falsely claiming to serve Islam. It is for this reason that the General Secretariat for Fatwa Authorities Worldwide issued this document, laying down the principles, guidelines, and different methodologies for dealing with the jurisprudence of Muslim minorities. It aims to elucidate the broader objectives of fatwas for minorities and to select the best proposed methodologies for these fatwas.

Hence, it was imperative to scrutinize and reflect upon the fatwas of minorities to equip muftis and provide a beacon of guidance in the path of ijtihad to deal with newly emerging issues.

Given that the main purpose of a fatwa is to provide legal solutions to real-life problems, fatwas take on the challenges of their time. It is equally important to stress the need for particular care in compiling and studying minority fatwas, as they form an integral part of the broader fatwa landscape.

Attending to minority fatwas is characterized by:

1- Emphasizing the intersection of Muslim minorities with the body of the Muslim Ummah. A Muslim living outside Muslim countries is still a member of the Ummah. This is evident in how fatwa institutions and scholarly assemblies engage with issues pertinent to Muslim minorities, a task made easier by modern communication technologies.

2- Minority fatwas serve as a rich source of material for researchers and scholars interested in fatwa-related matters. They provide insight into the lives of Muslims living in non-Muslim countries and help identify key issues worthy of attention, offering valuable topics for study and research.

3- By closely following the evolution of minority fatwas, we can answer a critical question that has preoccupied anyone engaged in fatwa, namely the question of whether fatwas based on the principle of facilitation and the objectives of the Shari'ah have helped in fostering coexistence between Muslims and non-Muslims in non-Muslim countries, strengthened their presence there, or led to their assimilation into these societies, causing a detachment from Islamic rulings?

In any case, attending to the fatwas of Muslim minorities, both in theory and practice, remains a fundamental duty borne by fatwa institutions, with the General Secretariat for Fatwa Authorities Worldwide at the helm.

This section contains a collection of fatwas pertaining to Muslim minorities that were compiled while taking into account several factors, some of which are described below:

a- These fatwas do not necessarily express the opinion of the General Secretariat for Fatwa Authorities Worldwide but express the opinion of scholarly organizations and fatwa bodies that issued them. Some religious organizations will occasionally issue a personal opinion of one of its scholars, stating that it is the personal opinion of the scholar and does not reflect the institution's position.

b- Anyone who reads fatwas will find the following:

(i)- Repetition of the fatwa subject.

(ii)- The plurality of opinions on an issue.

This is due to the fact that fatwa are issued by different bodies. In addition, the multiplicity of opinions on a single issue within one body are the result of temporal, spatial, individual or circumstantial differences, evidencing the evolution of fatwa and its applicability to different contexts. Examples include the issue of acquiring the citizenship of a non-Muslim country. Different scholars gave different opinions. For instance, Sheikh Mohammed maintained its prohibition, while the scholars of Egypt's Dar al-Ifta, past and present, deemed it permissible though subject to certain regulations.

(iii)- The goal is not to enumerate all the fatwas related to Muslim minorities; rather, it is to compile a reference for these fatwas that serves to act as a reference to aid Islamic centers and muftis perform their duty.

(iv)- It is important to note that we do not favor one fatwa over another; rather, we only aim to demonstrate the plurality of methodologies that address the fatwas related to Muslim minorities which lead to different rulings.

5- Our primary sources for compiling these fatwas are scholarly assemblies and contemporary fatwa institutions. We accessed various available fatwa publications, institutional archives, and the official websites of these respective institutions and scholarly assemblies. These institutions are:

Jurisprudential Assemblies

a- The Islamic Research Academy at al-Azhar.

b- The Islamic Jurisprudence Assembly in Mecca.

c- The Assembly of Muslim Jurists of America.

Fatwa Institutions

1- Egypt's Dar Al-Ifta.

2- The General Ifta Department in the Hashemite Kingdom of Jordan.

3- The Permanent Committee for Scholarly Research and Ifta in the Kingdom of Saudi Arabia.

4- The Fatwa Department in Kuwait, under the Ministry of Awqaf and Islamic Affairs.

5- The Palestinian Dar al-Ifta.

6- The Official Fatwa Centre of the United Arab Emirates, under the General Authority for Islamic Affairs and Endowments.

7- The Islamic Jurisprudence Assembly in Sudan.

8- The Fatwa Office in the Sultanate of Oman.

6- We arranged the fatwas of Muslim minorities following the order of jurisprudence topics, which were divided as follows:

a- Creed and misconceptions.

b- Acts of worship.

c- Transactions.

d- Family issues.

e- Food and purification.

f- Manners, clothing, and adornments.

g- Judicial matters and testimonies.

h- Contemporary issues and challenges.

And we relied on arranging the fatwas of each section by first mentioning the resolutions of the selected jurisprudence assemblies, then to the chosen of religious institutions, starting with those of Egypt's Dar al- Ifta, followed by the rest of the fatwa authorities and bodies. Given the extensive scholarly material of Egypt's Dar al-Ifta, we have divided it into traditional and contemporary fatwas.

Section Six:

Management of Fatwa Institutions

This section comprises several sub-sections:

- Excellence of fatwa authorities.
- Features of fatwas in modern fatwa institutions.
- Fatwas and jurisprudential assemblies.

1. Excellence of fatwa authorities

Quality has emerged as a significant area of interest for most countries, serving as a key pillar of modern management. This makes it easy to keep abreast of global developments by adapting to international and local changes. The concept of quality hinges on the implementation of advanced management techniques that strive for continuous improvement, constant development, and the attainment of the highest possible standards in practices, processes, results, and services.

Service institutions in today's world grapple with numerous challenges, including their growing numbers and increasingly fierce competition. In response, many institutions have prioritized the quality of their services and excellence in meeting the needs of their beneficiaries, thereby enhancing their competitive capabilities.

Institutions that issue fatwas are not insulated from this evolving context. Indeed, considering the serious ramifications of issuing fatwas and their wide-ranging effect on all facets of society, they may be among the organizations most in need of the adoption of contemporary management, particularly quality management. Therefore, it is crucial to evaluate fatwa services against specific quality benchmarks. Therefore, it is essential to compare the quality of fatwa services to established standards.

However, how can fatwa services be evaluated? What are the quality standards for issuing fatwas? Can we apply terminology related to industrial and commercial enterprises or administrative institutions to fatwa institutions such as customer satisfaction, quality control, and quality evaluation?

The rationale behind employing these terms in the context of fatwa issuance, particularly considering its esteemed standing, derives from a commitment to addressing the expectations of those seeking superior fatwa services. This commitment takes into account the competitiveness among official fatwa institutions, given the alternate fatwas available on the internet, satellite channels, and other platforms. The implementation of quality standards in fatwa institutions can restrain these alternatives, which are often exploited to undermine religion and society by propagating extremism and endorsing radical ideologies through unregulated fatwas.

This only underscores the importance of quality in the realm of fatwa issuance, as the quality of fatwa institutions contributes to reinforcing the sound religious principles, promoting facilitation, and achieving the objectives of the Shari'ah.

Given that the application of quality management in religious institutions, especially those engaged in issuing fatwas, is an unexplored topic, this section of the Egyptian Encyclopedia of Fatwa Sciences offers a strong foundation for more books in the field. Therefore, it dedicates a comprehensive overview to the concept of the fatwa institution, the concept of quality and its evolution and tools. It further explains how to create a quality management system in fatwa institutions, while highlighting the necessity of modifying quality principles to meet the requirements of fatwa work. The ultimate aim is to develop a standardized framework for a quality management system in fatwa institutions.

In this section of the Encyclopedia, all the fundamental stages required to adapt established concepts to suit contemporary realities are included. The issuance of fatwas, quality management, and human resources management are all well-established fields. However, implementing quality management and human resources management within fatwa-issuing institutions represents a new development. It is therefore necessary to undergo a process of conception and adaptation, which the first chapter of this book addresses. This is followed by implementation, covered in the second and third chapters, before concluding with decision-making, discussed in the fourth chapter.

The way this section of the Encyclopedia is structured mirrors the perspective of a Mufti when faced with novel situations. As for the concept of quality management, the Encyclopedia defines quality as the extent to which a product or service aligns with the client's objectives, fulfilling their explicit or implied needs and expectations. In other words, the goods or services should meet the client's objectives, providing both immediate and future satisfaction.

The Encyclopedia mentions that quality management has emerged as a modern approach whose philosophy rests on a set of principles that can be adopted by any organization to achieve its highest potential performance. It is a holistic strategy aimed at continually enhancing an organization's performance and effectiveness through careful planning, organization, and the improvement of all activities. This is achieved by involving employees at all management levels in the quest of quality.

Quality in fatwa institutions can be divided into:

a- Design Quality: The degree to which the general methodology, methods of delivering fatwas, and their delivery systems meet the requirements of the mustafti.

b- Service Quality: The extent to which the provided service matches the intended design specifications.

c- Performance Quality: The level of awareness among employees and researchers about the importance of quality and the cultural drive to satisfy mustaftis by meeting their needs and responding to their fatwas.

Customer expectations or needs from quality differs across commodities and services. The quality that the mustafti looks for in relation to services provided by fatwa institutes includes:

1. The legal standing of the fatwa institution and its societal reputation.
2. Responsiveness and speed in addressing a fatwa request.
3. Providing the service at the required time, in the specified location, and in the desired format.
4. Confidence in the capabilities and expertise of researchers in understanding their issues of concern to them and the process of adaptation.
5. Taking good care of the mustaftis by showing them empathy, good communication, and warmth towards them.
6. Continual development in service delivery sectors and a friendly attitude towards visitors.

The key characteristics of quality management in fatwa-issuing institutions are:

1. It encompasses all departments and activities within the institution.

2. It is dedicated to the continuous improvement of all processes that influence the quality of the services provided.

3. It depends on the understanding and participation of all staff members.

4. It promotes self-monitoring among employees and nurtures internal motivation for excellence, which is founded on values.

5. It encourages teamwork over individual work.

6. It encourages positive engagement among various levels within the fatwa institution.

7. It relies on horizontal communication between the different departments and work teams, thus reducing the need for vertical communication.

8. It shifts the institution's strategic policies away from a technique centered on finding and fixing mistakes and towards a pro-active strategy. This approach entails identifying and fixing the underlying causes of shortcomings to prevent their recurrence or, ideally, to preempt them.

The Encyclopedia emphasizes the crucial elements of quality management, noting that it comprises a number of terms that explain its essential elements. They are:

1. Management: It is the art of leveraging available resources to accomplish the most advantageous goals in the least amount of time and at a minimum cost. It includes functions of planning, organizing, controlling, and monitoring.

2. Institution: An organization focused on carrying out a specific mission through specific objectives, accomplished through the efficient and effective use of both human and material resources.

3. Fatwa-issuing institution: This type of organization, a fatwa-centered body, carries out the issuance of fatwas and responds to inquiries on religious issues.

4. Project: This is a temporary activity with a defined start and end point, executed to create a unique product, service, or result.

5. Policies: Fundamental principles that regulate work conduct, represented in the institution's value system and the rules orchestrating the operations.

6. Procedures: A procedure denotes a method used to realize consistent performance or a steady outcome, or specific steps to carry out tasks (clarifying what the tasks are, who is responsible, and how they are performed).

7. Work instructions: These serve as an extension of work procedures, or a specific type of procedure, with an emphasis on describing how a certain activity should be carried out.

8. Corrective action: If a review uncovers a work aspect that fails to comply with the set standard, leading to an error, corrective action becomes necessary. This action will depend on the causes of the error and deviation from the standard, followed by the implementation of measures to prevent its recurrence.

9. Preventive action: These are methods that have been implemented by work administrators to foresee probable errors and prevent them before they occur.

10. System: It is a group of connected elements working together in a reciprocal and integrative interaction to accomplish a certain objective. Inputs go through procedures to produce predetermined and planned outputs.

11. Quality management: It includes all issues pertaining to choosing appropriate standards and requirements for an organization's operations, as well as carrying out the planning, regulating, monitoring, quality assurance, and continuous improvement processes.

12. Quality control: These are activities performed during the production process to ensure the correctness of products, and to predict and address production issues before they worsen and result in defective products.

13. Quality assurance: These are actions taken during the manufacturing process to assure product accuracy, as well as to anticipate and resolve production issues before they intensify and lead to defective goods.

14. Quality indicator and standard: An indicator is a measure of an event or a condition intended to achieve a certain objective. Each indicator should have standards, which are often used to evaluate the accomplishment of these standards. A standard is a directive or metric that establishes a benchmark for performance or serves as a basis for making decisions.

Quality standards aim to measure how far quality management has advanced, based on an evaluation of all quality elements (planning quality programs, quality control, quality assurance, and quality improvement and development).

The Encyclopedia discusses the quality system tools, explaining that these are methodologies used for data collection and visualization, helping to monitor variations from previously established goals or standards. These variations can be upward or downward, or near or distant. These methodologies are frequently represented graphically, simplifying data and information, making it comprehensible for individuals with some degree of experience and training. These tools also provide a clear view of workflow within a fatwa-issuing institution, facilitating the management's understanding and analysis of changes using other quality management elements. The tools include:

- Cause and effect diagrams
- Flowchart sequencing
- Check sheets
- Pareto charts
- Cumulative frequency diagrams
- Control charts
- Scatter diagrams

The Encyclopedia also discusses the concept of quality in a fatwa-issuing institution. In the service sector, quality is defined as the congruence between the actual performance of a service and client expectations. Consequently, in fatwa-issuing institutions, As a result, in institutions that issue fatwas, quality is determined by how closely the product and method of giving a fatwa match the expectations of the person seeking a fatwa. In order to guarantee this quality, the following must be met:

1. Trust and credibility in the fatwa's execution.
2. Prompt response to the fatwa.
3. Competence and skill in delivering the fatwa.
4. Ease of accessing the fatwa at any time.
5. Credibility in both the institution and the service provider.
6. Consistent communication with mustaftis, using language they understand.
7. Ensuring transactions with the fatwa institution are devoid of doubt, risk, or danger.
8. Clear understanding on the part of the mustafti.
9. Respect and a friendly demeanor from the fatwa provider.
10. The physical facilities, equipment, workers, and technology level within the institution.
11. The quality of the fatwa process design in the institution, including the scientific methodology of issuing a fatwa and the procedures for delivering it.

In this context, "design quality" refers to the identification of certain characteristics of a fatwa that enable it to achieve the interests intended Islamic jurisprudence, in relation to the nature of the state that the institution or body producing the fatwa is serving. This concept also encompasses the degree to which the procedures for delivering a fatwa align with the mustafti's expectations.

Designing fatwa processes incorporates the following components:

a- Quality description: This involves establishing explicit and precise specifications that denote the desired quality level in the fatwa, and the approach of its delivery, such as abiding by a specific school of jurisprudence and so forth.

b- Tolerance limits: These are parameters that are clearly stated for permitted departures from the established standards. For example, the process for issuing fatwas may require adherence to the Hanbali school of jurisprudence, yet under emergency circumstances, fatwas may be given based on the Hanafi school.

c- Measurement method: The design should include a method for determining if specific characteristics and requirements are present in the issued fatwa, assessing the degree of variance and deviation, and determining whether tolerance limits are adhered to.

d- Design modification: There may be instances where a particular design cannot be implemented, thereby necessitating mechanisms for reevaluating and adjusting the design.

The Encyclopedia discusses the correlation between quality and strategic planning in fatwa-issuing institutions, stating that strategic planning is a systematic and integrated process tied to defining the institution's interests within its internal and external working environment. This process emphasizes gathering information about the past and present, predicting expected future performance levels, and identifying potential opportunities and threats in the external surroundings.

In this context, strategic planning involves an exhaustive practical study related to crafting strategies for fatwa-issuing institutions' operations, aiming to enhance fatwa competence and subsequently attain their set objectives.

Fatwa competence refers to the proficiency of fatwa issuers and researchers, illustrated by their ability to complete their tasks in the most efficient manner and within the shortest possible time.

When initiating the strategic planning process, it is crucial to consider the institution's overarching policy, the prevalent customs and values in the society, the geographical and economic conditions of the institution's country, the inclinations and preferences of fatwa seekers, and the characteristics of competitive entities. The key steps in the strategic planning process for a fatwa-issuing institution include:

1. Identifying pivotal issues and options that require attention in strategic planning.
2. Establishing a planning committee.
3. Crafting a forward-looking vision for the fatwa-issuing institution.
4. Determining the information necessary to make sound decisions.
5. Dispelling ignorance and fostering knowledge and scholarship.
6. Promoting cultural advancement.
7. Fortifying the bond between the community and its scholars.
8. Offering educational guidance and direction.
9. Assessing the institution's current status to identify:

- Weaknesses.
- Strengths.
- Opportunities.
- Threats.
- Objectives.

10. Beginning the implementation and overseeing its stages.

The conditions for adopting quality management in fatwa-issuing institutions are covered in detail in a chapter of the Encyclopedia which notes that specific prerequisites must be met for quality management to be implemented in such institutions. These ensure that employees are trained to accept the concept, and actively work towards realizing it and achieving the intended results. These prerequisites are:

- Endorsement from the head of the fatwa authority.
- Reframing the culture of the fatwa-issuing institution.
- Allocating both authority and responsibility to employees equitably, with clear and specified duties, thereby ensuring accountability and quality work.
- Disseminating the principles and concepts of quality management among all institution employees.
- Deciding to apply quality standards to employees.
- Creating effective work teams.
- Providing education and training.
- Seeking consultation.
- Offering incentives and motivation.
- Familiarizing oneself with the institution's organizational structure.

Another chapter describes the steps involved in establishing quality management in a fatwa institution, outlining the four consecutive necessary stages:

The First Stage: Preparation

This stage is crucial in the quality management implementation process. In this phase, the institution's top authority decides whether they will benefit from the potential comprehensive improvements brought about by implementing quality management. Managers undergo initial training, formulate the institution's vision and objectives, devise policies, allocate preliminary resources, and prepare a communication outlining these significant messages. This phase involves seven sequential steps, which are:

- Making the decision to implement quality management.
- Providing training for key executive managers.
- Developing the vision and mission of the institution.
- Establishing the institution's objectives.
- Outlining the institution's policies.
- Deciding to proceed and allocating the necessary initial resources for implementation.
- Crafting the opening address.

The Second Stage: Planning

In this phase, detailed plans for implementing the quality management system are developed. This includes determining the process of implementation to allow for a comparison of the progress made with the initial plans at various stages of this phase. The steps to complete the planning phase include:

- Advisory board members determine the steps to accomplish the phase.
- Gathering information.
- Analysis and interpretation of data.
- Evaluation of results presentation.
- Selection of a coordinator for quality management.
- Training the advisory board and the coordinator on the requirements of implementing quality management.
- Preparation of an implementation plan draft.
- Approval of the plan following collective discussion.
- Identification of key processes.
- Selection of an implementation strategy.

Third Stage: Assessment and Evaluation

This stage includes four steps:

1- Self-Evaluation:

The evaluation process begins with critical questions. The heads' answers to these questions lay the groundwork for implementing quality management. These questions include:

a- What measures should a fatwa institution undertake to maintain its relevance and maximize its reach?

b- What current initiatives aim at improving the operations?

c- Are there any potential benefits or reasons for adopting quality management?

d- What are the best strategies for fostering efficient formal and informal communication within the organization or the fatwa body?

e- If the quality management program is successful, how significant is it to the institution or the fatwa body, and how should this success be measured?

f- What are the organization's objectives, and what is your role as a leader in achieving these goals?

g- How does your role as a leader involve the dissemination of fatwas to their seekers?

h- How does your fatwa institution differ from other institutions, and what are the weaknesses you aim to address?

i- What challenges might you encounter when implementing quality management in your institution?

j- How do you contribute to improving quality?

k- What type of training could enhance your role in improvement efforts?

l- Can you provide examples of methods and tools used in the application of quality management?

m- Could you describe the general environment of the institution or body, considering aspects such as individuals, interests, concerns, etc.?

n- How can respondent satisfaction be assessed?

o- Management commitment is vital for improving quality; what is your level of commitment to this cause?

p- Who are your clients? (List their names and affiliations.)

q- Organizational assessment.

r- Comprehensive survey.

s- Obtained feedback.

2- Organizational assessment

This stage focuses on conducting interviews, conducting studies, and performing field research in order to give the essential tool for knowing the institution or fatwa body and all of its personnel.

3- Comprehensive survey

The objective is to measure the satisfaction level among mustaftis and solicit their suggestions for development during meetings, phone calls, and other interactions.

4- Obtained Feedback

This process involves examining responses from training course participants, fatwa issuers, researchers, and employees of the organization or the fatwa body, focusing on their perspectives on prospective performance improvement areas.

Stage Four: Implementation Phase

The implementation phase unfolds according to the following steps:

First: Assignment of implementing personnel

This stage starts with the selection of individuals who will be entrusted with the responsibility of implementation. They act as an extension of the coordinator's roles, taking on advisory functions. As part of the supportive services, they undergo training using the most up-to-date training methods.

Second: Enhancement of internal processes

This is achieved by:

a- Determining the workflow, specific phase and steps that are followed in the main operations of the fatwa institution.

b- Managing templates designed to record and display data and information in a manner that simplifies their circulation, referencing, and analysis. It is advisable to initially utilize printed forms before transitioning to electronic versions once the system within the institution stabilizes.

This section of the Encyclopedia includes an independent chapter on the principles of quality management in fatwa institutions. It states that pioneers in the quality field have developed several core principles that form the basis for quality. These principles have been integrated into a variety of quality management systems, including ISO among others. Specific quality standards applicable to fatwa institutions have been established from these broad principles, taking into account their particular characteristics.

The summarized principles are as follows:

1 - Utilization of a scientific methodology.

2 - Prioritizing the mustafti and the beneficiary.

3 - Effective resource management.

4 - Emphasizing both processes and outcomes.

5 - Enlightened leadership.

6 - Decisions grounded in evidence.

7 - Efficient management of relationships and outreach.

8 - Continual improvement.

An independent chapter is dedicated to the specifications of quality management in fatwa institutions. The chapter highlights the importance of these specifications, as they serve as a scientific tool for management, facilitating precise planning of the production process and its control.

Specifications are defined as: Fundamental standards used to measure quality and performance, established by consumers or by a decision from a specialized authority, and employed as a benchmark for comparison over a specified period.

This chapter is structured into two distinct sections. The first elaborates on the concept of standards, emphasizing their crucial role in managing fatwa institutions. In contrast, the second section presents a proposed standard specification designed for quality management within these same institutions.

Furthermore, this section of the Encyclopedia specifically addresses human resource management, stating that management is a vital instrument for organizing human efforts, applicable to individuals and groups alike. Management is depicted as the art of harnessing potential and utilizing resources with the objective of achieving the desired objectives. Essentially, management is a human-centric process and activity, committed to fulfilling specific objectives through a network of relationships, communications, and interactions among diverse groups and professions with different aims and aspirations.

Management is an inherent element of all human congregations that possess material, technical, and natural capabilities. It aids in realizing their objectives and carrying out their responsibilities. Like all other human assemblies, a modern fatwa institution requires conscientious management dedicated to identifying, accomplishing, and enhancing its objectives. Such management provides a regulated fatwa service that is in step with life's rhythm, pace, and is guided by the teachings of the Holy Quran and the honored Prophetic Sunnah.

Additionally, this section categorizes administrative levels into three tiers, each distinct in terms of authority, responsibility, and the extent of performing administrative tasks. These comprise:

- Upper Management: Embodied by the head of the fatwa body.
- Middle Management: Represented by the general secretary of fatwa and departmental directors.
- Lower Management: Represented by the various satwa counselors.

The functions of any institution's management rests on five fundamental tasks: planning, organizing, recruiting, leading, and supervision.

As for human resources in fatwa institutions, these refer to a host of activities targeting the enhancement of collective efficacy of muftis, Shari'ah researchers, and others working in the fatwa institution. These activities also encompass policies and procedures related to the selection, appointment, and management of muftis, their organization within the institution and fostering cooperation between them, the fatwa counselors, and the fatwa administration. This approach fosters trust, enabling the fatwa institution to reach optimal and distinguished productivity levels while ensuring the achievement of desired fatwa objectives.

Human resource management gains significant importance as one of the functions of a modern institution, primarily as it oversees the institution's most valuable assets — its human resources. What sets these assets apart is their intellection nature. In the context of fatwa institutions, these assets include muftis and Shari'ah researchers.

The importance of human resource management can be underscored through the following:

1. In order to achieve predetermined organizational objectives and high levels of performance, it is important to identify the greatest match for each role and to motivate employees to work at their peak levels.

2. In order to create a work environment that inspires people and promotes the growth and utilization of their abilities, human resource management balances the psychological, financial, and social demands of a person with the organizational goals.

3. Enhancing employees' skills and efficiency through training on internal work systems, implementing a development plan, promoting professional development.

4. Actively participating in strategy formation, planning, and goal setting within an organization and assuming a significant role in the implementation, supervision, and monitoring of these strategies, plans, and goals.

5. Motivating employees to accomplish tasks correctly and efficiently.

6. Providing advice and guidance to executive managers, such as fatwa counselors in the fatwa institution, in all aspects related to muftis and Shari'ah researchers, enabling them to formulate, manage, and execute policies and resolve issues concerning employees.

7. Assisting in the evaluation of organizational effectiveness and efficiency using employee performance metrics, including performance adequacy, absenteeism, and tardiness rates.

8. Supporting managers in identifying and resolving fundamental issues related to employees, which can impact institutional effectiveness.

9. Facilitating all procedures related to employees to ensure optimal productivity and optimal performance.

10. Reducing human resource-related costs by accurately predicting future job requirements, which will result in the effective use of those resources and the elimination of redundancy in some jobs.

11. Aligning the provision of skills with the needs and requirements of the institution, thereby increasing employee job satisfaction.

This section focuses on the final chapter concerning the application of Human Resource Management in fatwa institutions. This application is divided into:

1- Human resource planning: This concept revolves around an institution's strategy for procuring, utilizing, and fostering human resources. Effective planning ensures that the right quantity and quality of human resources are accessible when and where they are needed to perform requisite tasks. Through planning, institutions can ensure they have an optimal mix of human resources that align with their needs and contribute to overall employee satisfaction.

2- Job description: Every position inside the organization's organizational structure has a job description, which was created by the institution. It highlights the key details related to the position. Institutions that practice the fatwa should prepare these documents before attempting to recruit staff members. It is necessary to gather the necessary details about the roles before creating job descriptions. Following that, a special card should be made for each position outlining the tasks, prerequisites, and ideal candidates.

3- An essential and fundamental part of contemporary institutions are their human resources. Since the suitable candidates are essential for effective management, human resource management tries to match the appropriate candidates with the right roles. While deliberate selection and strong recruiting may harness potential and provide outstanding results, poor staff selection can disrupt operations. This crucial fact emphasizes the value of focusing on human resources and implementing appropriate management techniques, allowing institutions to function effectively and productively. In order to acquire the most qualified and competent human resources to carry out the institution's tasks, the "recruitment, selection, and appointment" process is essential. The effectiveness of the institution as a whole is considerably improved by appropriate selection.

4- Training and development: This function, pivotal in modern human resource management, aims to enhance the competencies of the human resources within the institution. Training and development comprise a range of activities, procedures, and programs intended to educate and advance individuals, thereby boosting their current and future job performance. Human resources training and development, also referred to as "investing in human resources," takes precedence in the plans and programs of states and institutions seeking progress and development.

5- Performance evaluation: An essential component of human resource management is performance evaluation, which also serves as an elaborate and important management strategy. Since the performance of individuals within the institution is dynamic and adapts rapidly to environmental changes, it's vital to regularly monitor and manage this performance. This is achieved through routine assessments, which

make it possible to recognize strengths for future growth and flaws for quick rectification. Performance evaluation is defined as a system used for measuring job performance. This is done by assessing the efficiency of an individual's work through the comparison of actual performance against specified standards and metrics. The process helps to identify any deviations from set goals. Thus, performance evaluation represents a structured, scientific method to evaluate employee performance. It also acts as a platform for discussion and dialogue, aiding in the resolution of many employee-related issues, and steering them towards future performance improvement.

6- Career path development: The natural next step in assessing employee performance is career path development. This procedure entails matching employees with their tasks in a way that seeks to achieve both the goals of the organization and the employee satisfaction. The term "career path" refers to the progressive sequence of roles that an employee occupies throughout the course of their professional lives, each one impacted by their feelings, ambitions, and objectives.

The career path symbolizes the pattern of work-related experiences extending across a person's lifetime. Therefore, it is crucial for managers to understand the career path development process and adapt to the changing needs and interests of employees at every stage. This approach ensures the effectiveness of their initiatives. Providing employees with sufficient information about the institution's career development plans is also vital. These plans should clarify the career or professional paths available within the institution, outlining opportunities for advancement and promotion. In general, an employee's career or professional path should be a focus for management, ensuring it adds value and meaning to the employee's work or professional life. This alignment with their aspirations and capabilities can lead to improved morale and productivity.

7- Job evaluation and wage structure design: The task of designing salary and incentive structures entails determining the value and relative importance of each job, setting its wage, and identifying the value of exceptional performance to motivate its continuity. The term "wage" denotes the monetary amount paid to an employee or worker in exchange for their work and effort within the institution. "Incentives" refer to conditions within the work environment that fulfill the desires of individuals who seek satisfaction through work.

Human resource management must prioritize offering a fair reward for outstanding performance. Consequently, individual and collective incentives come into play. It is also important for management to continuously evaluate the wage and incentive system within the institution, identifying potential gaps and root causes, and prioritizing areas for development.

8- Organizing work relations: The function of "organizing work relations" involves regulating relationships among employees, their managers, and the institution to minimize potential problems. This is achieved by contract negotiations, union declarations, and the implementation of work-governing regulations. This organization of work relations indicates the establishment of legal and humane methods for dealing with employee disputes and managing employee performance within the institution. This process includes adopting a fair performance management culture and a robust incentive system, which helps foster a sense of belonging among employees towards their workplace. It's equally important to outline clear disciplinary procedures and conflict resolution mechanisms, ensuring protection for both the employees and the institution. It also balances the responsibilities of employers with the rights and duties of employees.

Moreover, managing employee relations involves establishing clear guidance and direction for employees, resolving any arising issues among them, appreciating diligent and outstanding employees, and addressing the needs of those with less satisfactory performance.

9- Comprehensive care: Managerial decisions regarding the health and safety of employees within their organizations are increasingly taking center stage, given their direct correlation with productivity. Consequently, management teams are now more invested than ever before in identifying the level of protection they should extend to their workforce. Contemporary institutions also focus on offering their employees specific benefits such as pensions, health insurance, disability benefits, and unemployment compensation. These benefits might extend to include housing, transportation, and various social financial services.

Comprehensive employee care includes a range of free or reduced-cost social and health services, as well as guaranteeing adequate workplace safety measures and enhancing the economic and living standards of employees.

2- Characteristics of Fatwas in Modern Fatwa Institutions

This section explores institutional fatwas, outlining their status, characteristics, standards, and how they are applied within institutions like Egypt's Dar al-Ifta.

The term "institutional fatwa" is a relatively modern concept, and as such, it will be difficult to find definitions from earlier scholars. However, scholarly publications do contain some sporadic discussion on the subject.

An institutional fatwa is defined as a fatwa issued by a recognized institution specializing in fatwa issuance – Egypt's Dar al-Ifta – performed by a collective of individuals who are qualified to dispense fatwas. This group collaboratively establishes a legal ruling on a specific matter, with the fatwa's attribution directed towards the institution rather than the individuals involved.

The Encyclopedia also highlights the growing importance and status of institutional fatwas in contemporary times. There is an urgent need for group fatwas and group ijtihad (independent reasoning) in this era. Scientific councils and institutions have been established to assess new developments and challenges within the Islamic community, working towards deducing a legal ruling through group ijtihad. Egypt's Dar al-Ifta,

among other assemblies and institutions, plays a pivotal role in issuing fatwas to the wider public, providing Shari'ah-based advice to government bodies, courts, and fulfilling other relevant duties. Following are the characteristics of an institutional fatwa:

1- Precise understanding of the issue

It is crucial to accurately portray the challenges the mufti faces, especially in light of the growing number of incidents and emerging issues individuals face. Each particular incident demands its distinct ruling and fatwa, distinguishing it from similar or close cases. A crucial requirement for giving a valid and contextually suitable fatwa is having a clear knowledge that is in line with reality.

2- Seeking Expert and Specialist Advice

Our current era is marked with an abundance of intricate and novel occurrences in various areas such as medicine, economics, politics, and other contemporary issues. Many of these matters are complex, demanding considerable effort to comprehend and conceptualize. Therefore, a jurist or mufti may need to consult specialists or experts. Indeed, seeking advice from specialists for a comprehensive understanding of the matter at hand is essential. If a mufti or jurist faces an issue pertaining to fields like medicine, economics, politics, or similar, they must seek expertise in that field to fully grasp the issue and make an appropriate ruling.

3- Training for Handling Variabilities (Time - Place - People - Conditions)

It is imperative to train muftis to manage the variables that could impact the fatwa. Scholars have stressed the necessity of accounting for these factors. A fatwa should consider the mustafti's conditions, circumstances, and various factors such as choice and necessity, age, travel status, strength or weakness, hardship or ease, time, and place. In Shari'ah jurisprudence, change in circumstances, and temporal and spatial conditions significantly impact many discretionary legal rulings. These rulings, aiming to establish justice and promote benefits and prevent harm, are closely associated with temporal conditions, means, and public morals.

4- Reliance on Shari'ah Evidence

Scholars have agreed on four sources of evidence for legal rulings: the Quran, the Sunnah, ijma, and qiyas. However, they differ on sources such as istihsan, 'urf, masalih mursalah, sadd al-dhara`i', istishab, shara`i` nan qablana, and consensus of the people of Medina. According to the fatwa methodology in Egypt's Dar al-Ifta, a mufti is not obligated to share the evidence with the mustafti if they are a layperson; evidence necessitates complex analysis, knowledge of extraction methods and foundational rules which are the province of specialists and potentially challenging for the general public due to their lack of expertise.

5- Consideration of Objectives and Outcomes in Fatwa

Islamic legal rulings include objectives and goals, which the noble legislator intended when legislating rulings, enforcing their observance, and realization. Taking into account the objectives and outcomes in the fatwa implies that the fatwa should comply with the aims of Shari'ah, be suitable for the situation, and consider the eventual outcome when issuing the ruling. The fundamental nature of an incident might necessitate prohibition, permissibility, or obligation. However, considering the objectives of the situation or its potential outcome may call for a different ruling due to the adverse effects that could result from a ruling based solely on the foundational incident.

6- Respect for Scholarly Differences

Respecting differences among jurists and Islamic legal theorists implies finding solutions to conflicts or a scholar utilizing the evidence of a scholar who has a different opinion. This process involves validating the consequences of his actions, among other similar approaches. A review of the opinions of scholars and jurists suggests a consensus on the advisability of acknowledging differences in contentious issues. This advisability might be subtle but can also become quite pronounced, escalating to a level of obligation, depending on the jurist's or the mufti's opinion when formulating the fatwa on the controversial issue.

Mere disagreement is not a sufficient basis for its consideration. If it were, this could lead to a mufti pursuing allowances, which is religiously prohibited. Disagreements are found in every issue; thus, the focus should be on the source and the strength of the disagreement. If it is weak, it should not be considered

This part dedicates a section to the methodological standards of institutional fatwas, in terms of the discipline in formulating a fatwa, widening the scope of benefit from jurisprudential choices, adhering to resolutions of Islamic assemblies, and respecting the enforceable statutory laws in implemented in the respective country.

3- Fatwa and Jurisprudential Assemblies

Islamic law is a divine, flexible, and evolving constitution with no possibility for stagnation. God has equipped it with mechanisms for renewal, ensuring its stability and applicable at all times and places.

With the development of Islamic law since the time of Prophet Muhammad (peace and blessings be upon him), there has been an increasing need to make known and clarify the some of the interrelationship between Shari'ah evidences to make them suitable for these times without becoming extremism or negligence.

Reformers have, however, also been more vocal in their requests for making use of the teleological components of the Shari'ah for the purpose of construct a new jurisprudence. This is especially relevant in our current era, which is filled with novel issues. Jurisprudential texts and Shari'ah evidence should not act as obstacles to these calls.

These calls come from various groups, and if voiced by competent individuals, can bring about change. These individuals have a renewal perspective of the rulings of the Shari'ah.

The jurisprudential assemblies are at the helm of these groups, bearing the banner of group ijtihad in its traditional form. They prioritize "jurisprudential renewal" in all their endeavors. The fact is, the concept of such renewal can be confusing for many people, who often conflate it with substitution and change. This confusion can lead to a distaste for the term "jurisprudential renewal." However, renewal is intended to revive the Islamic methodology based on moderation and balance. It seeks to enrich Islamic jurisprudence with updated rulings that keep pace with the era's developments, refine the jurisprudential heritage, and present it in a new light that is compatible with modern technologies. This renewal aims to utilize these advances in shaping the present and future of the Ummah.

This section makes the case that modern jurisprudential assemblies have grown significantly in prominence and offer a wide range of benefits and services. These benefits can be summarized as:

1- Eliminating chaos in fatwas and unifying the voice of fatwa institutions on the same issues as much as possible.

2- Regulating fatwas and keeping them free from excesses.

3- Achieving the principle of shura (consultation) on emerging issues among official fatwa institutions.

4- Substituting these assemblies for ijma.

5- Serving as a step towards unifying the Ummah and uniting its voice.

6- Facilitating integration among the various specializations in Shari'ah sciences and beyond.

7- Ensuring group fatwas are more accurate and less prone to error.

8- Thwarting the efforts of pseud-scholars who issue extremist and unregulated fatwas.

Group ijtihad has become a contemporary necessity. This group endeavor is encouraged by the Shari'ah, as God Almighty says, "And consult them in affairs" (Quran, 3:159). The Prophet (peace and blessings be upon him) practiced the principle of consultation with his Companions and often followed some of their opinions in many instances. These include his consultation with his Companions on the issue of the captives of Badr and his approval of Abu Bakr's suggestion on the matter. Numerous incidents show how the Companions' emphasis on group ijtihad and sought guidance from one another when new issues arose, seeking to understand the will of God.

The Encyclopedia also states that the development and dissemination of fatwa methodology to address emerging issues and novelties can only be achieved through cooperation and consultation among all specializations, under the umbrella of shared principles, values, and objectives. God says, "And cooperate in righteousness and piety, but do not cooperate in sin and aggression" (Quran, 5:2).

Understanding the rulings of complex and challenging issues that have permeated contemporary life can only be achieved through jurisprudential consultation among jurists and other specialists. These matters can only be satisfactorily resolved through group ijtihad.

This section devotes a chapter to the general characteristics of jurisprudential assemblies, which are: independence, commitment, appose schools of jurisprudence, achieving unity of the Ummah, and moderation.

"Independence" refers to freeing jurisprudential assemblies from any pressures, whether tangible or moral, that could negatively impact their performance or decision-making process. The aim is to uphold objectivity, keep them free from suspicion and doubt, and ultimately achieve their primary objective.

As for the attribute of "obligation", the Encyclopedia determined that the power to impose obligation on decisions made by group ijtihad institutions rests with the executive authorities. Decision-makers in these institutions, equipped with the power to engage in ijtihad, can highlight the importance, public need, and benefits of these rulings to the competent authorities and those with enforcement powers. They can also outline how these rulings can be applied in our lived reality.

Regarding the unity of the Ummah, this will not be possible unless the Ummah solves its common problems which stem from a united front aimed at unifying Muslims while keeping away from discordant individual views that can propagate bigotry, division, and conflict. This led Islamic scholars to establish jurisprudential assemblies and fatwa councils with the objective of fostering unity.

As for moderation, jurisprudential assemblies embody balance and moderation, which are intrinsic traits of this religion in which there is no room for extremism, indulgence, negligence, or laxity.

The Encyclopedia further advised fatwa-issuing institutions to select the most notable students of knowledge and train them in ijtihad and fatwa, thereby equipping the Ummah with a cadre of scholars capable of safeguarding its present and future. This takes us to the observation that the assemblies' methods and mechanisms constitute some of its most important checks:

1- Those entrusted with ijtihad should be scholarly mujtahids; the Islamic Shari'ah is a divine law formulated to regulate human behavior.

2- Renewal should occur in subsidiary jurisprudential issues. It is not permissible for the firmly established principles of the religion to be subject to renewal, such as the belief in the Last Day and resurrection after death. Nor should it encroach on universally acknowledged religious duties like prayer or the number of its units.

3. Ijtihad should not contradict a definitive text, consensus, or clear analogy.

4. There should be a commitment to institutionalism in ijtihad, otherwise known as group ijtihad, which has been made easier by the establishment of jurisprudential assemblies and fatwa bodies, especially the General Secretariat for Fatwa Authorities Worldwide which brings together distinguished scholars from various religious, economic, and social disciplines.

Section Seven:

Fatwa in the Context of Social Sciences

This section is subdivided into the following:

- The intersection of fatwa and social sciences.
- The role of Fatwa in stabilizing societies.
- The Influence of fatwa on civilizational evolution.
- Navigating jurisprudential disagreements: Civilizational management and its implications for fatwas.
- The confluence of fatwa and legislation.
- Fatwas addressing health challenges.
- Fatwas in the service of the national economy.
- Fatwas within the framework of Islamic politics.
- Fatwa and the safeguarding of intellectual integrity.
- The role of fatwa in promoting global peace.
- Fatwas and their place in international relations.

1- Fatwa and the Social Sciences

In today's world, there is an unprecedented reliance on the social sciences to address the profound challenges confronting humanity. This sentiment was underscored by UNESCO in its 2010 global report on social sciences, aptly titled "Knowledge Gaps." The report emphasizes the vital importance and universal nature of social sciences to global societies.

From the outset of human interaction and the emergence of social systems, there has been a persistent need to comprehend the intricacies of these relationships. It is crucial to understand the systems, principles, and dynamics that influence their creation and sustainability.

The fatwa, as a discipline closely intertwined with human existence and its social fabric, has naturally intersected with these sciences. Various factors, including economic, social, psychological, political, historical, and artistic conditions, have played direct roles in shaping this Islamic practice. The fatwa serves to strengthen Muslims' connection to their religious space by striking a balance between the tenets and duties of Islam and the ever-evolving demands of societal life. As such, the fatwa operates at the nexus of religious, social, and political realms, earning it a distinguished position in the annals of Islamic culture. Its relevance and practicality arise from its deep-rooted association with the daily challenges faced by those seeking religious guidance. At its core, the fatwa's primary role is to offer religious solutions to both individual and collective dilemmas.

Given that the fatwa stands as a pivotal instrument of religious discourse, it is essential to delve into the synergies between it and the human sciences, especially since they often overlap and intertwine. It is challenging to define clear boundaries between various branches of human sciences as focus is on humanity, albeit from diverse vantage points.

Considering the modern complexities in political, social, cultural, and economic domains, it's inadequate for fatwas to solely lean on jurisprudential knowledge and traditional methodologies. Instead, they should also incorporate insights from social sciences, which delve into societal phenomena and human dynamics. As echoed in UNESCO's report, "Now, more than ever, the world necessitates the insights of social sciences to navigate the formidable challenges facing humanity."

The role of official institutions, standardizing the fatwa process, stands in stark contrast to individualized fatwas issued by unofficial individuals who have gained prominence in the society since the early 1970s, creating a significant disconnection between Muslims and their lived realities. This divide is evident across all life facets, leading to a decline in creative thought and a rise in a culture that often rejects others on both domestic and international levels. This underscores the importance of fatwa institutions that play a pivotal role in shaping fatwas across political, social, cultural, and economic realms, fostering societal cohesion.

From this perspective, exploring the interplay between fatwas and social sciences becomes imperative. Beyond the endeavor to root social sciences within an Islamic framework, a mufti must genuinely adopt a scientific approach when crafting his fatwa. This methodology often aligns with principles foundational to the social and human sciences. Essential inquiries a mufti might pursue, encompassing nature, methodology, and causality, resonate deeply with the philosophical underpinnings of social sciences, especially in observation, interpretation, and foresight of phenomena. This alignment emphasizes the symbiotic relationship between social and human sciences and the domain of fatwa, especially given their shared focus on the human experience within societal contexts. Achieving a harmonious integration between these sciences and the discipline of fatwa is a pressing scholarly objective. It transcends mere enhancement of fatwa quality or deepening a sociologist’s perspective. It necessitates understanding overlaps, mutual influences, and shared learnings to ensure the fatwa process remains in line with the tenets and objectives of the Shari’ah.

This section aims to frame the theoretical foundations governing the relationship between social and human sciences and fatwa. The focus is on:

- Identifying intersections between fatwas and the domains of social and human sciences.
- Mapping the mutual influence and interplay between these disciplines and fatwa.
- Detailing how muftis can harness insights from these sciences in their deliberations.

- Guiding experts in social and human sciences on leveraging the continuous evolution of fatwa in enhancing their fields.
- Assessing fatwas' impact and interrelations with broader social, economic, and political conditions, serving as illustrative models to facilitate a comprehensive understanding of the fatwa's interplay with these disciplines.

2- The Role of Fatwas in Societal Stability

Human existence, as decreed by God, necessitates living within a cohesive society, where roles and functions harmoniously integrate to achieve shared benefits. An individual cannot thrive in isolation, and similarly, a group cannot flourish without a structured society fulfilling essential roles.

The teachings and principles of Islam resonate with this societal framework. The rites, ceremonies, and ethical guidelines set forth by Islam accentuate this perspective. Most worship practices in Islam either encourage or imply community involvement. This communal emphasis extends to religious ceremonies and the delineation of rights and duties, reflecting humanity's diverse racial, religious, and cultural fabric.

Correspondingly, Islam condemns actions that disrupt this social harmony. The Quran advises, "Do not cause corruption on earth" (Quran, 2:60) and exhorts unity with, "Hold firmly to the rope of God and do not become divided" (Quran, 3:103).

Such human congregation inherently calls for stewardship of the earth. God, in His grand design, appointed humans as custodians of the universe, expecting them to cultivate and cherish it. This stewardship is mentioned in the verse: "It is He Who produced you from the earth and settled you in it" (Quran, 11:61). This stewardship manifests in various forms, from agriculture and industry to harnessing the earth's hidden treasures. Moreover, it comprises intellectual endeavors that serve humanity's greater good. To facilitate this, God endowed the earth with ample natural resources.

A hallmark of Islam, coupled with its refined jurisprudence, is its emphasis on the spiritual and moral cultivation of individuals. Spiritual edification is the cornerstone upon which the larger task of global stewardship rests. A sophisticated human civilization is predicated on a foundation of moral and ethical enrichment.

To actualize their global stewardship role, individuals must reside within a stable society. Such stability hinges on specific pillars and fundamentals. Islam has meticulously outlined these elements, even predating international treaties that recognize human rights.

Humans, while having tangible needs like food and shelter, also possess intangible spiritual and moral needs. Given their inherent religiosity, there is an enduring need for scholars, muftis, and jurists.

This section delves into the role of fatwas in fostering societal stability. It touches upon societal formation, social stability, the influence of fatwas, and elements that ensure stability across social, economic, and intellectual domains. It furthermore sheds light on challenges to stability and the proactive efforts of fatwa institutions. This includes initiatives to eradicate illiteracy, advance education, promote familial harmony, counteract extremism, challenge atheism, streamline fatwa issuance, combat corruption, manage population dynamics, promote social cohesion, address addiction issues, stand against racial discrimination, rectify misconceptions about Islam, and combat Islamophobia.

3- Fatwa and the Evolution of Civilization

Islamic jurisprudence, anchored in the Quran, hadith, the noble goals of the Shari'ah, and scholarly principles, intimately connects with people's lives and closely resonates with societal progress, growth, and stability. Throughout its development, Islamic jurisprudence and its diverse schools have brilliantly reflected the rich civilizational nature of Islam.

However, Islamic jurisprudence is not just about elucidating visible acts of worship like purification, prayer, fasting, almsgiving, or pilgrimage. The scope of jurisprudential exploration has broadened, enveloping every facet of life. This includes governance, testimonies, and evolving evidence methodologies that resonate with contemporary approaches to justice —both indicting the guilty and absolving the innocent. Precise systems were instituted for justice in varied scenarios, adapting to the changing conditions and contexts of societies throughout history. In addition, this jurisprudence discusses Muslim-non-Muslim interactions in times of peace and conflict as well as international relations and governance ethics. It

also includes secular endeavors necessary for societal coherence such as engineering, medicine, pharmacy, and military defense. Esteemed jurists have emphasized the need for individuals to be devoted to filling these positions in the Ummah in order to maintain social well-being. The entire Ummah is accountable if this does not happen.

The pivotal role of Islamic jurisprudence in reflecting Islam's civilizational essence is most seen in the domain of fatwa issuance. The profound connection between jurisprudence and fatwa is palpable. Every facet of jurisprudence, which underscores the civilizational aspect of Islam and its commitment to values of truth, justice, and tolerance, is even more paramount when it comes to issuing fatwas. These fatwas adapt theoretical doctrines to real-world scenarios, addressing evolving circumstances and unprecedented events that significantly shape people's lives. This adaptability is all the more crucial in our current era, marked by technological leaps, a surge in communication mediums, and the rapid dissemination of both genuine and misleading information. A pressing concern remains: our lack of robust measures to combat harmful influences and the spread of deceptive content, notably extremist fatwas propagated across various digital platforms. These false proclamations tarnish the true image of Islam—the religion of peace, justice, mercy, and equality.

Without a question, the current weight imposed on individuals in charge of fatwa issuance is indeed heavy. However, whether they are in Muslim or non-Muslim countries, they must portray Islam's civilizational ethos. Their decrees should embody the higher aims of the Shari'ah, putting the focus on a better world, the promotion of virtue, peace, and justice across diverse religious and cultural spectra. An important recognition is the harm caused by extremists who distort Islam's essence, straying from its illuminating civilizational spirit, a spirit our distinguished scholars have repeatedly celebrated and clarified through the ages.

This section, rooted in educational tenets, serves as a testament to how fatwa institutions have embraced modernity and renewal. It endeavors to underline the features of civilizational evolution within the fatwa process and emphasizes the pivotal role of accurate, well-structured fatwas in spearheading this development, always bearing in mind the prescribed guidelines.

The content is structured across three distinct chapters:

- The inaugural chapter delves into the essentials of a properly formulated fatwa, aiming to align it with civilizational progression. It elaborates on the prerequisites associated with the mufti, the mustafti, and the nuances of the fatwa itself.
- The subsequent chapter sheds light on the transformative role of fatwas in cultivating civilizational advancements. It articulates the influence of fatwas in domains such as education, society, economy, and medicine. Moreover, it underscores the contribution of contemporary fatwa institutions to civilizational growth, supplementing with real-world fatwa illustrations.
- The final chapter is devoted to the nuances of fatwa evolution and innovation. It elucidates the foundational principles of fatwa renewal, the criteria for its refinement, the various methodologies and mechanisms for such advancements, the creation of robust fatwa institutions adept at navigating contemporary challenges, the proposition of a global fatwa charter, and the integration of cutting-edge digital technologies.

4- The Civilized Approach to Jurisprudential Disagreements and their Influence on Fatwa Issuance

One of God’s inherent principles in creation is the diversity among people in intellect, perceptions, conceptions, and opinions. Islam acknowledges the principle of disagreement, viewing it as a reflection of the varied nations, mindsets, and understandings. This principle aligns with human evolutions and challenges, and it not hold any definitive religious decree. This is because disagreements usually occur within the framework of foundational principles, meant for those with specialization, ensuring religion is not reduced to mere opinions. This holds particularly true for matters with texts that have definitive proofs, those with speculative proofs, or those with speculative proofs but over which there is scholarly consensus, thereby standing as definitive and indisputable.

Disagreement has been an enduring trait, an intrinsic human characteristic instilled by God. It is immutable by nature. As different premises naturally lead to different conclusions, if a text warrants interpretation, diverse opinions will naturally emerge. Such disagreements have persisted from the early days of our community to the present, emphasizing the pragmatism of our faith which acknowledges the diverse influences on

humanity, especially when these disagreements do not stem from a weak belief or doubt in Prophet Muhammad's teachings but from the pursuit of truth and the desire to follow the intended rulings, aiming for unity amidst divergent views.

God has graced this community with diligent jurists throughout time who have striven based on the available evidence. Their endeavors have birthed a comprehensive body of jurisprudence, rich in its fundamentals, branches, points of agreement, debates, overt and subtle nuances, and addressing both real and hypothetical situations. This wellspring of knowledge remains inexhaustible and steadfast, regardless of how the times, places or situations change. Its depth and adaptability ensure it remains relevant to every emerging scenario, as it has for past occurrences.

The scholars of our community have often held varying views, particularly in subsidiary and interpretative matters. This diversity is a significant hallmark, a tremendous blessing, mirroring God's intent: "God desires ease for you, not hardship" (Quran, 2:185).

The Prophet (peace and blessings be upon him) laid down a wise methodology for addressing differences in speculative rulings comprised of evidence, derivation, norms, etiquette, and the imperative of continuous scholarly effort to discern legal rulings for every situation or obligation. Following in his footsteps were the Rightly Guided Caliphs, the committed Companions, and subsequent Islamic scholars across eras, ensuring the Ummah continues to follow divine guidance. They directed the inherent differences among them regarding numerous jurisprudential matters towards a harmonious, diverse understanding — a blessing for all lands and people — eschewing division, conflict, and bloodshed.

Islamic Jurisprudence and the Essence of Jurisprudential Disagreements

Jurisprudential disagreements have historically served as a model for the profound richness and depth of Islamic law. Throughout time, scholars, jurists, and laypeople have thrived within its vast expanse, functioning as one cohesive family. Their diverse viewpoints, rather than being divisive, fortified their unity. Rarely did such disagreements lead to disputes or divisions; instead, they fostered deeper connections and shared understanding.

In today's world, there is a pressing need to revisit and elucidate the methodologies and etiquettes laid down by esteemed scholars for navigating these jurisprudential differences, both in theory and practice. Regrettably, modern disagreements can sometimes lead to discord and personal affronts. This can be attributed to the diminished adherence to these revered methodologies and etiquettes. This erosion has birthed two contrasting extremist perspectives:

The first denies the steadfastness of foundational principles, advocating that everything is subject to change — even if it concerns core beliefs, principles, or moral values.

The second narrows the scope of people's religious and worldly experiences, placing undue emphasis on rigid interpretations of religious texts. In their view, the majority opinion becomes dominant, and any dissent is viewed with suspicion or outright hostility, sometimes going to the extreme of labeling dissenters as sinners, deviants, or innovators, and in dire circumstances, even as apostates, warranting severe consequences.

This section endeavors to highlight the methodologies and varied procedures that jurists have established concerning jurisprudential disagreements. It aims to inspire scholars and researchers to extract and apply the rich methodologies and paradigms developed by past scholars. This encompasses their diverse schools of thought in guiding independent reasoning and traditional following, especially when addressing disagreements on unresolved matters. Such efforts can significantly stabilize contemporary societies, fostering an academic environment that bridges different schools of thought, resurrecting the harmonious coexistence our predecessors achieved by integrating diverse opinions for the greater good.

This section emphasizes the positive outcomes of jurisprudential disagreements and their historically ethical management within the Islamic framework, a strategy that has consistently benefited the Muslim Ummah, both past and present. Such an approach is essential for its future as well. A specific chapter here is devoted to the foundational methodologies in handling jurisprudential disputes. It delves deep into the scientific approach to contentious issues, the role of collective scholarly endeavors in mitigating disagreements, streamlining differences through jurisprudential choices, reconciling divergent doctrines, adhering to leniencies, amalgamating evidences, and addressing outlier opinions that defy consensus.

Another distinct chapter spotlights the commendable efforts of fatwa institutions in managing jurisprudential disagreements. They employ a modern, civilized approach in tune with our contemporary era, an age abundant with evolving jurisprudential challenges.

5. Fatwa and Legislation

From the outset of Islamic history, the practice of issuing fatwas (religious rulings) has been intertwined with the judiciary. Prophet Muhammad (peace and blessings be upon him) seamlessly managed both roles, drawing from divine revelation for his declarations, actions, and legislative behaviors.

Moreover, he dispatched his Companions to various regions, serving as judges, muftis, and educators. Traditionally, fatwas were largely voluntary, with scholars across ages and regions clarifying religious edicts to those who sought them. This contrasts with the judiciary role, which has been, from the very beginning, a designated responsibility by those in power. This is exemplified by the Prophet's decision to send Mu'adh to Yemen, a practice upheld by the subsequent Rightly-Guided Caliphs and continues to the present day.

While fatwa issuance was primarily voluntary, by the time of the Ayyubid and Mamluk dynasties, there emerged a tendency to allocate stipends to certain individuals for this task, though on an informal basis. By the mid-eighth Hijri century, this evolved into an official state role, known as the 'Mufti of the House of Justice'. Concurrently, the tradition of voluntary fatwa issuance continued. This official position developed an institutional connection to the judiciary. In the House of Justice, roles for fatwas mirrored the four major Islamic jurisprudential schools: Hanafi, Maliki, Shafi'i, and Hanbali. The chief judge of each school would nominate a mufti, who would then be presented to the Sultan for approval.

During the Ottoman era in Egypt, an official mufti role existed, known as the "Mufti of the Ottoman Sultanate for the Egyptian Territories." Later, under Muhammad Ali Pasha, the title evolved to "Mufti Effendi of Egypt" and then to the "Mufti of the Egyptian Territories." This position, anchored in Egypt's Dar al-Ifta, has since been under the administrative purview of the Ministry of Justice, formerly known as the Bureau of Justice.

In essence, fatwas and judicial rulings are deeply interconnected domains. Both provide insights into religious edicts, rooted in meticulous analysis of specific scenarios. While they share many commonalities, each has its distinctive sphere. Both embody the pragmatic application of Shari'ah laws. A mufti dispenses fatwas, drawing from prevailing interpretations after thoroughly grasping the circumstances, striving for appropriate religious application while considering individuals, conditions, time, place, and various guidelines that prioritize both communal and individual benefits.

Similarly, a judge delivers verdicts in adherence to mandates provided by governing authorities and legislation, championing justice and equality. This approach respects the principles of justice, foundational judicial rules, and underlying theories. The symbiotic relationship between legislation — underpinning judicial processes — and fatwa underscores the significance of exploring the nexus between fatwa and legislation.

This section of the Encyclopedia delves into a plethora of pivotal topics related to religious edicts (fatwas) and legislation. A dedicated chapter on legislation elucidates its significance, necessity, history, and the concerns raised by critics, as well as potential pitfalls and strategies to navigate them. This chapter discusses a key topic that has dominated many discussions: how closely does Egyptian law aligns with Islamic Shari'ah?

Additionally, this section reserves an entire chapter to the interplay between fatwas and legislation. It probes the intricate relationship between issuing religious rulings and the judicial system, the legal frameworks surrounding fatwas, the role of fatwa institutions in championing and upholding the rule of law, their foundational influence on laws from an Islamic perspective, their involvement in legislative reforms, and their adherence to legal standards. At the conclusion of this section is a proposed initiative aimed at streamlining fatwas, with a vision to foster greater synergy between fatwa and legislative practices.

6. Fatwas in the Face of Health Challenges

Today, fatwas address an array of challenges, most notably those related to health. The global outbreak of the novel coronavirus and its ramifications have indelibly marked our era. The pandemic drove the establishment of global measures, which in turn fundamentally transformed human behaviors and societal norms across various spheres of life.

Given the influential stature of fatwas in Muslim communities, they are poised to adapt to these shifts. Fatwas shoulder the onus of navigating the complexities of such health crises, ensuring that they offer structured guidance in line with their time-tested methodologies, anchored in collective scholarly deliberations suited for these monumental challenges.

One of the key tenets of Islamic jurisprudence is that it seeks to protect human well-being from any adversity that might disturb one's peace, mental tranquility, and societal harmony. The principles of Islamic law are anchored in its overarching objectives, which encompass preserving faith, life, intellect, lineage, and wealth. This comprehensive approach caters to every facet of human existence, covering diverse situations, from peace to conflict, health to disease, and youth to old age.

Regardless of shifting times and evolving challenges, the Shari'ah possesses the agility to craft solutions for emergent scenarios, addressing human needs across epochs and environments. This adaptability ensures its relevance and efficacy at all junctures, a testament to the divine wisdom that makes it suitable for every time and place, reinforced by the dynamic process of scholarly deliberation.

Group ijtihad, particularly in addressing important issues and public emergencies, is a paramount form of scholarly endeavor. This approach combines the collective wisdom of fiqh assemblies and fatwa institutions, all of which stem from a cohesive methodology and universally accepted mechanisms. These establishments are equipped with the necessary tools for the fatwa process, facilitating collaborative engagement and consultation among muftis, researchers, scholars, and specialists.

The prominence of discussing fatwas in relation to health challenges becomes evident when we consider the directives issued by renowned fatwa institutions across the Islamic world in response to these very challenges.

This section delves into several pivotal topics. Foremost is the unwavering commitment of the Shari'ah to the preservation of life. The Shari'ah strongly exhorts the people to take care of themselves and to protect themselves against diseases.

Moreover, the discourse expands to cover significant medical topics like blood donation, organ transplantation, pre-marital medical screening, prenatal gender determination, and specific rulings affiliated with medical practices. These encompass discussions on the ethical implications of withholding medical care, the consequences and legal liabilities of medical errors, among other related matters. The section further sheds light on the role of fatwas in combatting pandemics, demonstrated through advocating for strict adherence to precautionary measures, sanctioning the temporary halt of Friday and congregational prayers during health crises, permitting adjustments in the practices of the Umrah and Hajj pilgrimages, and endorsing the administration of pandemic-specific vaccinations. Collectively, this underscores the pronounced role of fatwas in navigating health challenges and adapting to novel medical insights.

7. Fatwa and the Support of the National Economy

Central to the formulation of fatwas is the profound understanding and recognition of prevailing conditions. A fatwa must always resonate with reality. For a mufti, comprehending the present context is as vital as interpreting the religious text. An in-depth examination of all facets of reality enables the mufti to adeptly align the Shari'ah ruling with real-world situations, ensuring a harmonious blend of religious jurisprudence and practical scenarios. Overlooking this crucial step may hinder the ultimate objective of establishing justice and fairness. Indeed, reality co-participates in deducing the rulings in the fatwa process.

Beyond grasping reality, the mufti must recognize that fatwas and other religious rulings are rooted in a core objective: safeguarding humanity's primary interests. Fatwas should thus resonate with, and strive to uphold, these interests, especially in contemporary issues. Many complications arise from a lack of real-world awareness and a disregard for the Shari'ah's overarching purpose — to maximize benefits and avert harms.

In essence, the crafting of a fatwa is a tool — a means by which a mufti guides individuals according to divine principles and the tenets of the noble Shari'ah, seeking to serve the welfare of the people. This underlines the pivotal role of perspicacious fatwas in comprehensive development initiatives. At the heart of such development lies the imperative to nurture and enhance these inherent interests, a mission the fatwa industry must ardently pursue.

In today's age, economic development is a ubiquitous aspiration. With each milestone achieved, we set our sights even higher. Contrary to many global trajectories, we possess an unambiguous vision of religion's role and its symbiosis with development. We have not meandered through convoluted phases, as witnessed in the post-Renaissance European context or the Industrial Revolution—phases characterized by a total religious disconnect, succeeded by introspective reassessments and intellectual evolutions. For us, there was no need for such intellectual recalibrations to fathom religion's significance in economic progression. Our stance has been lucid from inception: Our endeavors are anchored in ethical imperatives and humane values, with religion as the cornerstone.

The national economy needs all Shari'ah tools if it aims to achieve authentic economic growth. Foremost among these is the fatwa, a religious decree, which strengthens developmental trajectories and educates people about the correct religious teachings and Shari'ah rulings relevant to these contexts. For instance, certain economic actions, viewed as corrupt, can hinder these developmental initiatives. Fatwas play a pivotal role in curbing these practices by elucidating their Shari'ah position and discouraging people from engaging in them. Examples include deceptive practices in stock markets that manipulate share values and mislead the public or certain actions such as hoarding goods to sell below market prices, violating proprietary rights, and infringing on original trademarks.

All these actions, and others like them, tie back to a societal value system, where religion is not just foundational but also a primary influencer. The fatwa acts as a dynamic mediator, translating and grounding these values into real-world economic practices, ensuring they align with the desired growth trajectory.

The fatwa's role in promoting economic growth is notably comprehensive as it spans multiple facets. Beyond its direct contribution to economic challenges, it touches an essential component of the development process: the social dimension.

While some might perceive the fatwa's role in fostering societal cohesion as solely addressing societal concerns, it intrinsically promotes economic development. The essence of societal cohesion cannot be overshadowed by natural resources or other factors. In fact, unity and cohesion might surpass the significance of tangible wealth and resources. A fragmented society embroiled in conflicts can hardly succeed in optimizing its resources for development. History has shown instances where immense wealth and resources failed to uplift living standards, especially in the shadow of wars and societal unrest.

Therefore, socio-economic facets like social solidarity directly drive economic development. Such solidarity and collective efforts, underpinned by a shared vision among citizens and the government, necessitate a strong religious and ethical foundation. This foundation ensures profound awareness and insight into the ramifications of decisions, something the fatwa significantly contributes to.

Egypt's Dar al-Ifta has exemplified the pivotal role of a fatwa in modern economic development. It has released a series of fatwas that emphasize social cohesion and solidarity as foundational elements of economic growth. Notably, these fatwas have intricately linked developmental issues with concerns such as poverty and health. For instance, they have sanctioned the allocation of zakat to provide drinking water to impoverished villages. Furthermore, Egypt's Dar al-Ifta has encouraged the affluent to financially support their less fortunate relatives and has endorsed the contribution of zakat to the central social security fund, viewing it as a representative of the needy in the proper distribution of zakat. Moreover, citizens have

been permitted to channel their zakat and charitable contributions into investment and production projects, aimed at bolstering the Egyptian economy.

The fatwa has previously demonstrated its merit as a tool for reform on social, political, and cultural fronts. Now, it is evident that its transformative influence extends to the economic domain, solidifying its position as a cornerstone of thriving economic development initiatives.

Recognizing the intricate relationship between the fatwa and economic growth, this section delves into Islamic financial transactions, the national and global economies, the objectives of fatwas in financial dealings, and the crucial role of the fatwa in fortifying the national economy.

The national economy's interplay with the global landscape is discussed, emphasizing the pivotal role of national regulations in promoting economic vitality. It also explores the interconnection between economic strategies and Shari'ah-compliant financial rulings. Further, the fatwa's role in actualizing the Shari'ah objectives of financial engagements, such as land development, conflict prevention, and catering to societal needs is discussed.

Additionally, the Encyclopedia provides insights into how fatwas can counter challenges facing economic development and fortify the national economy. Practical, real-world fatwa examples pertinent to the discussed topics enrich this section of the Encyclopedia.

8- Fatwa and Shari'ah-Based Governance

Civilization, whether tangible or value-driven, has historically originated from the state. Civilizations emerge on lands with specific geographical borders, inhabited and nurtured by people bound to these territories. Such people are governed by an authority responsible for overseeing the country's matters and advancing its citizens' interests.

From the era of Adam (peace be upon him) to our contemporary times, societal conditions have been in constant flux. This is attributable to the diversity of times, places, and the ever-evolving challenges and dynamics of life. The Quran alludes to this in verses like, " To each of you We prescribed a law and a method" (Quran, 5:48) and "… and these days [of varying conditions] We alternate among the people " (Quran, 3:140). This emphasizes the need to adapt and evolve across social, political, and cultural realms to fulfill people's welfare, following Islamic principles and teachings.

Given this backdrop, the necessity of implementing Shari'ah-based governance becomes clear, especially in our rapidly changing age. Due to the importance of Shari'ah-based governance, this section delves into the topic, linking it both theoretically and practically with fatwas. The Encyclopedia elucidates Shari'ah-based governance as: "Any directive or procedure issued by those in authority aimed at the public good, in contexts where there is no specific religious evidence, without contravening the Shari'ah."

The Encyclopedia outlines the merits of Shari'ah-based governance, summarized as:

1- Upholding and fostering religious values and devotion to the Almighty.

2- Ensuring justice.

3- Enhancing the well-being of the people.

4. Responding to contemporary societal shifts and catering to the ever-evolving demands of modern life.

Additionally, the pivotal role of the ruler and the necessity of obeying him is further discussed in this section which also elaborates on the concept of "Wali al-Amr" (the governing authority), emphasizing its evolving nature. The role is no longer confined to an individual, such as a monarch or a prince; instead, it comprises legislative, judicial, and executive institutions. This evolution reflects the "public system", characterized by constitutional clauses, laws in effect, and judicial rulings in societal disputes.

A chapter is dedicated to guidelines for fatwas within Sharia-based governance, the interplay of fatwas and governance systems, the scope of a ruler's authority in issuing fatwas, and the interrelation between fatwas and political dynamics.

9- Fatwas and Intellectual Security

Intellectual security is paramount, acting as the foundation for a society's or nation's development, prosperity, and stability. All divine revelations have underscored its importance, focusing on the need for societal stability. These messages envisioned the formation of individuals with pure hearts —those who construct and enrich rather than destruct. Prophet Muhammad (peace and blessings be upon him) Muhammad's mission was to guide his people onto the right path. Some, however, resisted this since it went against their own interests. Their resistance reflects an eternal divine pattern on earth.

Many extremist groups, unfortunately, have contravened universally accepted religious tenets, particularly the principle of valuing collective welfare over individual gains. These groups prioritize their narrow interests over the broader welfare of their nations. Moreover, their claims of following the path of Prophet Muhammad's teachings are both unfounded and misleading.

Such extremists often deviate from the rigorous methodology championed by revered scholars, the traditional guardians of the Islamic Ummah across various disciplines. These radical perspectives have not enriched humanity; instead, they have sown seeds of discord and corruption. Their pursuits, veering more towards political agendas, are often detached from genuine religious principles and are driven by their skewed objectives.

Given the backdrop, it is crucial for institutions, including those issuing fatwas, to protect the youth. It is essential to safeguard them from the harmful ideologies peddled by extremist factions, especially on digital platforms. These ideologies often conflict with the foundational teachings of seasoned scholars and contradict the legacy of Prophet Muhammad (peace and blessings be upon him) and his esteemed Companions.

In this context, this section of the Encyclopedia elucidates the concept of intellectual security, emphasizing its critical role for humanity. It delves into how principled and well-grounded fatwas significantly contribute to this goal. It further describes intellectual security as the "safeguarding of societal minds from tainted thoughts or erroneous beliefs that clash with the community's core faith, principles, and values, urging collective effort to ensure this protection."

Dedicated chapters in the book explore the pivotal role of fatwas in promoting intellectual security, the criteria that ensure fatwas' integrity, and the instrumental role of fatwas in countering ideological aberrations and extremist thought.

10- Fatwa and World Peace

Peace, in its broadest sense, refers to an individual's sense of stability and the absence of worry and perturbation caused by potential threats to oneself, family, or resources. The pursuit of peace has been a fundamental aspiration from the dawn of humanity, and will remain so for its entire existence on earth.

In Islam, peace is not merely defined by the absence of war or a state defined by a lack of conflict. It encompasses a broader sense of stability, grounded on several key pillars:

- Protection life and property.
- Freedom to move and travel.
- Freedom of expression.
- The right to seek judicial justice and redress.

In Islam, peace is the sum of these components. To reduce it to just a state of non-conflict would be underestimating its depth. True peace, free from war, can only flourish when these elements are present. Efforts by major powers to mitigate wars without addressing the root challenges of smaller nations, such as famines and epidemics, or without curbing unjust aggression from powerful states towards weaker ones, are like smothering a fire and allowing it to smolder under the surface rather than truly extinguishing it.

God Almighty exemplified these tenets by bestowing upon the Quraish the blessings of sustenance and security, both pivotal to the Islamic understanding of peace. This is articulated in the Surah Quraish. Though succinct in its verses, its meanings are profound, capturing the essence of peace — both within and beyond borders, ensuring blessings remain untainted by threats.

Islam, with its doctrine and jurisprudence, seeks to foster peace in all its manifestations, from individual tranquility in one's homelands to harmony among societies and the wider universe. Moreover, the foundational greeting in Islam is one of peace. It is not just a salutation; it embodies a way of life with clear ethical implications. It compels a Muslim to reciprocate peace when greeted with it.

From the onset of Prophet Muhammad's mission, Islam has acknowledged international accords. The Medina constitution, drawn up between the Prophet (peace and blessings be upon him) and the Jews, stands as Islam's earliest international covenant. Subsequent treaties between Muslims and non-Muslims were forged with a shared objective: to foster peace, security, and collective cooperation, solidifying a mutual alliance that serves as the bedrock for sustained peace.

This section of the Encyclopedia delves into the role of fatwas in fostering global peace. It encompasses various chapters that explore pivotal subjects which include:

- The role of fatwa in emphasizing the inclusivity and justice inherent in the concept of peace.
- The role of fatwa in n establishing respect for all religions as the cornerstone of world peace.
- The role of fatwa in affirming the Islamic message's universality as a cornerstone of world peace.
- The role of fatwa in supporting coexistence built on collaboration and benevolence a component of world peace.
- The role of fatwa in promoting respect for human dignity as a component of world peace.
- The role of fatwa in highlighting respect for international treaties and agreements as keystones for world peace.
- The role of fatwa in advocating institutionalism as an alternative to individualism as anchors of world peace.

Furthermore, a chapter is dedicated to the mufti's application of jurisprudence in the context of contemporary challenges and understanding of reality and novel issues on the global front, as foundational to upholding world peace. Two other chapters are dedicated to the tools and methodologies employed by the mufti in addressing modern challenges affecting world peace and the fatwa's responsiveness to evolving dynamics in international relations, ensuring world peace.

Additionally, there's a focus on how fatwas respond to actions and behaviors that violate moral principles and potentially jeopardize world peace.

The practical application of each of these aspects is carefully examined, particularly in the context of fatwa issuance.

11- Fatwas in International Relations

Shari'ah principles, being divine revelations, span every facet of life, including the relationships between nations. This is in sharp contrast to man-made systems, which often emerge as incomplete and require continuous improvement, a task often viewed as logistically challenging. Islam views the entirety of humanity as a single, unified entity.

As stated in the Quran, "Indeed, this community of yours is one community, and I am your Lord, so fear Me" (Quran, 23:52). It would be a limited interpretation to view this verse as solely referring to the Muslim community, especially given that the preceding verse addresses all prophets.

The concept of global unity refers to the idea that an event impacting one individual on one side of the world should resonate with someone on the other side; the ripple effects of one's actions may be felt by another, often in unanticipated ways. Thus, the global community must unite in assisting nations grappling with challenges such as poverty, disasters, or pandemics.

Islam has laid out principles concerning interpersonal relationships, which include:

- Showing kindness and benevolence to all creation as long as they do not initiate hostilities.
- Upholding absolute justice, even when faced with enmity.
- Preserving human dignity by virtue of our humanity.
- Perceiving an attack on any human life as an affront to humanity as a whole.
- Recognizing that safeguarding human life is tantamount to safeguarding the entirety of mankind.
- Adhering to agreements and treaties is a foundational tenet across all relationships.

This section elucidates these principles, underscoring the tools that Islamic jurisprudence provides to scholars in navigating the ever-evolving landscape of international relations.

Furthermore, this section accentuates Shari'ah's fervent advocacy for fostering cooperation and peace amongst nations, sidelining aggression and conflict. It showcases Islam's inclination towards ethical considerations in international collaborations, favoring moral imperatives over mere self-interest, even if it comes at another's detriment.

The chapter also delves into Islam's staunch opposition to transgressions committed by nations, such as war crimes, racial biases, and ecological violations, and its commitment to championing equity among individuals, devoid of distinctions.

All these factors are methodically addressed from a practical perspective, focusing on the issuance of fatwas.

Section Eight:

The Fatwa and Humanity

This section is divided into the following subtopics:

- The fatwa and human development.
- The fatwa and human rights.
- The fatwa and ethical considerations.
- The fatwa and charitable endeavors.
- The fatwa and the sanctity of human life.

1- The fatwa and human development

Islamic law, or the Shari'ah, seeks to preserve the essence of God's most honored creation — humanity. The universe, encompassing both land and sea, is at humanity's service. This distinction arises from the unique responsibilities endowed upon humans, worshipping God, developing the earth, and refining the soul.

A fundamental tenet posits that if an action is essential to fulfilling an obligation, then that action becomes obligatory itself. Thus, the duties assigned to humans are inseparable from the preservation of the human construct, the nurturance of the human intellect – the fulcrum of civilizational duty – and safeguarding the diverse dimensions of human existence — mental, emotional, and spiritual. The profound link between human cognition and behavior is undeniable. Significant challenges to human progress emerge when there is a disruption in these cognitive and behavioral elements. Destructive ideologies often exploit vulnerabilities within the human psyche, aiming to manipulate and dominate minds, diverging from natural dispositions. Such ideologies introduce new tenets that serve their agendas, disconnected from God's intent and the guiding light of His teachings.

For the discerning observer, it is evident that in recent decades, our Muslim communities have grappled with behavioral anomalies that have eroded societal foundations and disrupted the inner peace of believers. These aberrations would not be as alarming if they were simply a result of inadvertence or ignorance. However, closer scrutiny reveals a deliberate agenda with well-laid foundations intended to distort consciousness, veil truths, and dismantle the cognitive edifices Muslim scholars built over centuries. This intellectual infrastructure, grounded in elevated standards, positioned knowledge as a cornerstone for human elevation and the realization of the divine purpose of creation. But, in the clutches of those with subversive motives, it has been contorted into an instrument of destruction, devaluing knowledge, homogenizing diverse sciences, and reducing religious enlightenment to superficial interpretations devoid of wisdom, disciplined study, and spiritual tranquility. Such diluted knowledge haphazardly dissects meanings, stripping them of depth, whether they are universally human or specific to religious tenets. Despite their persistent efforts over decades, extremist factions, adhering to this flawed paradigm,

failed to infiltrate the collective conscience or erode our intellectual and scholarly defenses. Left with no alternatives, they resorted to brute force, intimidation, and fear through acts of terror.

The General Secretariat for Fatwa Authorities Worldwide recognizes its pivotal role in mending the rifts within religious thought, particularly in jurisprudential and fatwa discourse. It has endeavored to present a vision of human development through the lens of an enlightened scholarly perspective. This is especially pertinent when discussing the process and factors influencing fatwa-making. The aim is also to highlight the intellectual, social, and human outcomes that stem from such a methodology, using the fatwas of the Egypt's Dar al-Ifta as a prime example, given its pioneering role in harnessing human development elements within a rigorous scholarly framework.

Simultaneously, it is essential to understand the tendencies of an extremist mindset that gravitates towards violence, destruction, and the blatant disregard for sanctities, whether they relate to human life, property, honor, established scholarly paradigms, or the very fabric of human ethos and spirit. The repercussions of this extremist approach have significant consequences on individuals and communities, endangering foundational values like family and nationhood. Moreover, they misrepresent Islam to non-Muslims, jeopardizing the principles of coexistence and tolerance, which in turn, impacts the holistic human construct.

This study, titled "Fatwa and Human Development," delves into these intellectual facets. It sets forth the foundational methodologies to nurture awareness in the Muslim psyche while juxtaposing it against the detrimental ideologies of deviant strains. The study evaluates the influence of each perspective on societies, promoting a culture of construction and development, affirming sound cognitive and behavioral paradigms, endorsing the acceptance of differences, and fostering principles of peaceful coexistence. This exploration is structured into two main sections and four chapters:

The first section, "Moderate Fatwas and Human Development," consists of two chapters:

In the first chapter, "The Methodological Foundation of Moderate Fatwas," it is posited that cultivating a robust mind and awareness in a Muslim is the primary defense against any adverse ideology or faction. This involves safeguarding the invaluable principles passed down by generations of scholars and resisting the introduction of alternative ideologies that diverge from the established foundation of Muslim thought.

To achieve these goals, it is crucial to construct a holistic understanding of the tools shaping the Muslim mindset, specifically within the domain of fatwa. This chapter delves into several themes: the formation of the Muslim mindset, the nuances of the jurisprudential mindset, embedding educational and human values through fatwa, concept formation, the perils of extremist thought, spiritual conduct through fatwa, and the role of fatwa in establishing respect for scholarly authorities.

The second chapter sheds light on the impact of Egypt's Dar al-Ifta in societal development and human enrichment through its moderate fatwas.

In the second section, discussing the destructive influence of extremist fatwas on societies, is divided segmented into two chapters:

Chapter One: The Hallmarks of Extremist Fatwas

This chapter brings into focus the extremist mindset as stemming from various factors, traits, and attributes which define its thought processes and comprehension mechanisms. Emerging from this mindset are unique scholarly and cognitive tools tailored for interpreting and implementing religious texts. Notably, these tools veer away from rigorous scientific methods, often exhibiting overtones of violence, extremism, and terror. Advocates of this perspective generally lack a deep-rooted academic foundation, confining their worldview to narrow partisan and ideological affiliations. The chapter sheds light on the reasons behind the indiscriminate religious discourse and edicts among extremists which include:

- Lack of methodical and academic training.
- Absence of genuine sources and a distorted consciousness.
- Neglecting reason and corrupting core beliefs.
- A flawed jurisprudential mindset.
- Equating variables with constants.
- Inflexibility and a disconnect from reality.
- Inclinations towards declaring others as non-believers.
- Misinterpretation of Shari'ah terms.
- Ignoring the core objectives of the Shari'ah.
- Neglecting the influence of spiritual conduct in societal reform.

Chapter Two: The Pernicious Consequences of Extremist Group Fatwas

This chapter outlines the repercussions of extremist fatwas on individuals and societies, at both domestic and global levels. The ramifications include:

- Diminished awareness among Muslims of their existential purpose.
- Erosion of the belief system, leading to rampant chaos and violence.
- A disarray in fatwa issuance, causing dwindling trust in religious institutions.
- Threats to world peace and orchestrated attempts to divide nations.
- Undermining the family unit, its stability, and cohesion.
- Eroding national values, widening the rift between governance and the people.
- Misrepresenting Islam on a global scale, fueling Islamophobia.

2- Fatwa and Human Rights

The Universal Declaration of Human Rights, proclaimed on 10 December, 1948, was a watershed moment in human history. It stood as a victory for humanity, affirming the essential rights of individuals, such as the rights to life, shelter, work, and an unequivocal commitment to personal freedoms.

Beyond the discourse on the "Islamization" of this declaration and subsequent efforts to articulate an Islamic declaration on human rights, Islam has directly addressed with the issue of human rights, both in foundational principles and in their practical implementation.

This section discusses "fatwa," a quintessential Islamic instrument. The Islamic jurisprudential system has employed fatwas to enshrine human rights values, from the right to life and property to familial ties and knowledge acquisition. Notably, practical examples, especially from the venerable Egypt's Dar al-Ifta, show how fatwas have been pivotal in actualizing these principles in real-world scenarios.

While a fatwa is embedded within the Islamic jurisprudential paradigm, it possesses a unique character. Fatwas are intrinsically intertwined with real-life circumstances, vigilantly tracking societal changes across all facets. Moreover, the nature of rights and duties can vary based on the specific context of the individual seeking guidance and the surrounding realities. Traditional jurisprudence might not fully encompass every scenario wherein one party has a right over another. What might be permissible for one might not be for another, given the potential harm or malfeasance that could arise from the latter's actions.

Thus, a fatwa must possess distinct practical tools and application guarantees. It should be anchored in a methodological framework more rigorous than that prescribed for a typical jurist.

Outlined here are the guiding principles for a mufti when issuing rights-based fatwas. These encompass the alignment with the objectives of the Shari'ah, the synchronization of fatwa with societal benefit, the interplay between alleviating harm and affirming rights, and the equilibrium between individual and collective rights.

Furthermore, this section underscores the essential guarantees that a mufti should respect in the realm of rights-oriented fatwas. This ensures that rights are fully recognized without diminution or prejudice. Among these guarantees are a human-centric perspective in fatwas, ensuring equality in rulings, discerning the varied contexts between the fatwa and its seeker, upholding the rule of law in rights disputes, imposing no restrictions on rights without substantial evidence, acknowledging the profound influence of individual religious convictions on rights preservation, adhering strictly against those neglectful of others' rights, understanding emergent jurisprudential issues and evolving contractual nuances, consulting domain experts on technical rights issues, prioritizing conflicting rights judiciously, preventing fatwas from enabling individuals to shirk their responsibilities, and ensuring that fatwas do not pave the way for oppressive rights practices.

The section delves into the various domains of human rights addressed by the fatwas. It examines the distinction between the approach in issuing religious edicts and the juristic perspective on them in addition to discussing the obligations of a mufti concerning shifts in rights and responsibilities.

Furthermore, it underscores that, in Islam, an individual enjoys an absolute, undiminished rights. It emphasizes society's role in recognizing these rights and compensating those unable to access their rights through collective societal efforts. This principle is known as "fard al-kifaya," a unique concept in Islam, which modern systems strive to emulate. In essence, this is part of a broader social solidarity system, designed to support those unable to realize their rights. Elements of this system include zakat (almsgiving), sadaqah (charity), waqf (endowments), and other solidarity mechanisms.

Undoubtedly, the divine foundation of human rights in Shari'ah law entails various implications:

1- Fatwas on human rights: These are not subject to whims, changing minds, or governments. Their foundation is fixed and their principles are clear and established. Change only occurs concerning non-fundamental aspects. The essence that distinguishes Islamic law from others is its reliance on a steadfast foundation. Its core principles do not alter with changes in leadership or decision-makers. Only rulings that do not represent the fundamental constants or higher values change. While Islamic jurisprudence is in harmony with changing times, it remains within the boundaries of Shari'ah principles and ethics. Any rights holder can reference these principles to achieve justice, ensuring no deviation from their intended purpose or subjective interpretations.

2- Consideration of individual needs in fatwas: While human rights in Islam are governed by fixed rules, this does not mean that individual differences and urgent circumstances, which might change their essential needs, are neglected. Rights in Islam come from a singular divine source. God, being omniscient, understands the varying conditions of His worshippers. This knowledge considers changes and exigencies in defining rights and what others owe to them. Laws and societies should determine individual rights in light of these variations, as treating everyone uniformly despite differences can be unjust.

3- Rights in the Islamic perspective: That no fatwa should ever deprive someone of their right is an established religious principle. Human rights, as perceived in Islam, are binding upon every Muslim, whether a ruler or a subject. Examining the Quran reveals that after the principle of monotheism, its primary tenet is upholding human dignity by virtue of one's humanity. Numerous scriptures and legislations emphasize protecting life, wealth, honor, intellectual freedom, and public participation. Islam does not discriminate between genders regarding dignity and public rights. Exceptions lie in roles and responsibilities influenced by physical and psychological dispositions, ensuring familial and societal harmony.

An impartial review of history acknowledges that Prophet Muhammad (peace and blessings be upon him) was the first to comprehensively and justly establish human rights. This is evident in his interactions with all members of the Islamic community and his fair adjudication of disputes, irrespective of religion, financial, or social status. The Prophet (peace and blessings be upon him) would often side with newer Muslims over veteran Companions or non-Muslims over Muslims if justice demanded it. The Rightly Guided Caliphs and subsequent Islamic rulers followed his exemplary path.

Building on what we have discussed, the fatwa process follows a set of frameworks and safeguards in its approach to human rights. By examining these frameworks, we can understand how the fatwa can effectively contribute in this domain. Its efficacy is comparable to measures taken by human rights institutions and bodies through their special tools.

Following are the frameworks and safeguards for respecting human rights in the fatwa process, the most important of which are:

1- Respecting the objectives of the Shari'ah

The fatwa always operates within the general legislative framework of Islamic law, primarily aimed at realizing specific objectives. Scholars have later agreed to categorize these into five primary objectives. The fatwa also ensures the welfare of individuals and prevents harm that could affect any of the aforementioned objectives.

2- Considering the direct relationship between the removal of harm and assertion of rights

Any infringement on a recognized human right undoubtedly results in significant harm. Thus, removing harm is essential, especially if it enables individuals to exercise their rights. This establishes the direct relationship between eliminating harm and asserting rights. The fatwa operates with the understanding that its duty is to remove harm, ensuring that this action upholds the rights enshrined in its foundational principles.

3- Enjoying rights without compromising others or causing them harm

Striking a balance between individual rights and the rights of others is a central theme in fatwas related to human rights. Conflicts often arise at this juncture, with some individuals prioritizing their own rights without considering the rights of others. While Islamic law provides ample assurances for the fulfillment of individual rights, it also mandates that one's rights should not infringe upon another's.

4- Balancing individual rights with societal rights

Many dilemmas related to freedom and associated rights stem from the lack of balance between individual and societal rights. Often, individuals view rights from a purely personal perspective, neglecting that the larger society also has collective rights derived from its human collective nature.

5- Balancing rights with duties

Muftis must consider the balance between rights and duties when issuing fatwas. In Islam, rights and duties are inherently linked. Prophet Muhammad (peace and blessings be upon him) said, "All of you are shepherds and each one of you is responsible for his flock. A man is the shepherd of his family and is responsible for them. A woman is the shepherd of her husband's property and is responsible for it. The servant is the shepherd of his master's belongings and is responsible for them. The leader is the shepherd of his subjects and is responsible for them. Indeed, all of you are shepherds and are responsible for your flocks." Islam details the numerous duties that an individual owes to themselves, their family, local community, broader society, nation, humanity, and most importantly, to God.

6- Considering natural instincts

When addressing rights, a mufti should consider natural instincts, ensuring the fatwa does not conflict with them or deprive anyone of them. In the sphere of rights, the fatwa should encompass these natural tendencies, following the path of the Shari'ah in regulating rights, rather than suppressing them, and considering them as fundamental human rights.

Key safeguards include:

1- Humanitarian perspective in fatwas

One of the most encompassing safeguards in the fatwa process is the consideration of the human essence. Islam, as a jurisprudential system, engages with individuals as humans with intrinsic rights. All legal instruments, including fatwas, operate within this realm. Humans share a common origin and destiny. As God Almighty says, "Indeed, this community of yours is one community, and I am your Lord, so fear Me" (Quran, 23:52). Here, "community" transcends the Muslim Ummah, representing all of humanity bound by shared lineage and objectives.

2- Equality in rulings and fatwas

Islam ensures that rights are uniform, irrespective of one's wealth or status. It vehemently opposes any form of discrimination. Bestowing undue rights on one person is equal to denying others their rightful due. This encompasses a universal right to public positions, consistent rights, duties, and legal treatment, with no discrimination on the basis of race, gender, or otherwise. Respecting human dignity and upholding equality is an unwavering principle in Islam.

3- Recognizing the nuances between fatwa contexts and individual circumstances

The Shari'ah acknowledges the fluid nature of rights, adapting to both time and place. For those facing exigencies, provisions may differ, reflecting their unique circumstances. Equating them with others who are not under such constraints might result in inadvertent injustices. Additionally, the Shari'ah designates rights for those absent, ensuring their interests are protected, rights that might not be extended to those present and able to defend themselves. Islam's foundational ethos emphasizes realism, understanding the lived experiences of its followers, aiming for ease, and reducing undue hardship.

4- Commitment to legal and judicial decisions

Muftis must uphold the decisions made by governing authorities, encapsulated in the principle, "the ruler's judgment settles disagreements." This derives from the broader concept that one scholarly interpretation can supersede another. If a ruler opts for a particular jurisprudential stance, both the mufti and the judge should uphold it. This principle seeks to ensure a cohesive legal framework across a nation or state, fostering stability in judicial outcomes, crucial for the accurate delivery of rights.

5- Protection of human rights and the standard for punishment

Every individual has an inherent right to benefit from the world's resources. Consequently, Islamic jurisprudence inherently allows transactions and dealings unless a religious text specifies a prohibition or punishment.

6- Fatwas and the influence on an individual's religious consciousness

Islam is unique in that it emphasizes the cultivation of an individual's religious conscience, promoting social stability by ensuring everyone respects and upholds the rights of others and the community.

7- Fatwa rigor towards those neglectful of others' rights

Such fatwas consider the potential ethical shortcomings of the mustafti or their societal context. When a lenient interpretation risks undermining religious adherence or the rights owed to others, a stricter stance is warranted.

8- The importance of contemporary jurisprudential knowledge before issuing fatwas.

9- The mufti's collaboration with experts in technical matters

Muftis should engage experts, particularly in rights-related matters without explicit religious guidance, ensuring the most accurate and just solutions are reached.

10- Prioritizing rights in situations of conflict

Islamic methodology is unique in that it emphasizes the precedence of certain rights over others in conflict situations, especially when the implications of neglecting one right significantly outweigh those of another, such as physical harm vis a vis financial loss.

11- Ensuring fatwas do not lead to abdication of responsibility

Muftis, more than jurists, need to be acutely aware of the practical implications of their rulings. Their direct interactions often give them insights into the mustafti's motivations and potential actions, ensuring the intended outcomes are ethical and just.

12- Fatwas must not enable abuse of rights

When ruling on rights, muftis must anticipate any potential misuse, ensuring the rights are exercised within the bounds of justice and fairness, without causing unwarranted harm.

13- The mufti's commitment to addressing societal shortcomings in rights determination

Fatwas often align more closely with people's lived experiences than theoretical jurisprudence does. Consequently, they might come into conflict with misguided beliefs that contradict religious tenets, as well as with corrupt customs not endorsed by religious teachings. This can lead to bestowing rights upon those who, from a religious perspective, do not merit them or depriving individuals of their rightful claims because flawed traditions dictate otherwise.

The Encyclopedia emphasizes the distinct roles of issuing fatwas pertaining to rights and practicing traditional jurisprudence. It underscores a mufti's need for a profound understanding of real-life situations and the unique needs of those seeking guidance. Each individual's circumstances and the resulting rights they might claim can vary widely.

A mufti must be cognizant that his rulings will be applied to specific cases. He must consider the potential for misapplication by the mustafti. There is an inherent risk in issuing a general fatwa for a unique situation, potentially leading to unintended consequences. The mustafti might misuse the granted rights from the fatwa either as an excuse to evade responsibilities or to wield those rights oppressively.

The Encyclopedia also sheds light on the essential skills a mufti should master when determining rights. Among these is the ability to detect potential disputes regarding the subject of the inquiry, which might require holding back from issuing a ruling, especially if legal courts are already addressing the matter.

Additionally, the Encyclopedia underscores the consistency of fatwas in advocating equal rights for both Muslims and non-Muslims, highlighting the magnanimity and justice inherent in this religion, which refrains from discriminating among individuals.

3- Fatwa and Ethical Inquiry

The modern world has experienced a significant transformation in communication, evolving into what is often likened to a global village. This change owes much to technological and scientific advancements that have bridged distances and reduced timeframes.

However, these advancements have inadvertently affected the realm of ideas and ethical standards. Those who can skillfully navigate these technological avenues are empowered to disseminate their ideological and moral beliefs. Today, no one remains untouched by this rush of ideas and the ensuing cultural competition.

In this age, humans have achieved the ability to harness the earth's hidden treasures, traversing its vast landscapes, rivers, and skies effortlessly. Yet, despite the luxuries surrounding the modern individual in nearly every aspect of life, there is a prevailing sentiment of discontentment. Many harbor profound fears for the future and live in a state of perpetual anxiety.

Systems and ideologies, created by humans to orchestrate their lives — divorced from divine guidance — have failed to deliver true contentment, peace, or the sought-after happiness. The modern individual, armed with advanced tools and a different mindset, is arguably more destructive than their predecessors. They can decimate entire cities with the mere push of a button, claim innumerable lives without direct bloodshed, and displace countless families without setting foot on their lands.

Many intellectuals, both in the East and the West, are striving to navigate this contemporary conundrum. They tirelessly seek pathways to global well-being and salvation. Importantly, the quest for truth and justice is not exclusive to followers of divine doctrines. Every effort towards these noble goals is commendable, and those championing these causes, irrespective of their beliefs, deserve acknowledgment.

Today, it is our responsibility to lead the wayward members of humanity towards truth. We must effectively communicate the values, principles, and ethical standards inherent in our faith to anyone in pursuit of truth and benevolence. In Islam, virtuous character is seen as a direct outcome of devout worship; this is echoed in the Prophet's words: "I have been sent to perfect noble character."

The "fatwa" serves as a mechanism to elucidate the core principles of this faith. Offered upon request, it clarifies religious rulings for specific circumstances, acting as a panacea for those seeking spiritual guidance.

This section of the Encyclopedia delves into the intricate relationship between fatwa and ethics, emphasizing how the former can bolster ethical and value systems in contemporary societies. It also underscores the prominence of ethics within religious frameworks, illustrating that the crux of the Prophet's mission was to reinforce exemplary moral values. Islam's decrees and doctrines unanimously converge on nurturing an individual's inherent goodness, urging them to benefit their surroundings. In addition, it further details methodologies for imbibing ethics, categorizing them into: upbringing, role models, societal environments, friendships, disciplined training, and mentorship from seasoned guides.

One chapter is dedicated to analyzing the pillars of ethics within western philosophy. It offers an objective discourse, accentuating occasional conflicts with innate human instincts and religious tenets. It also underscores the importance of methodological ethical fatwas and asserts that their significance stems from the following:

1- Reverence for fatwas among Muslims: Fatwas occupy a distinguished place in Muslim hearts, acting as guiding beacons. Their revered status is derived from the central role of religion and its power to cultivate the human spirit.

2- Highlighting the role of religion in cultivating morality and behavior: Through deeply rooted ethical fatwas, the prominence of moral values is elevated and raw instincts refined. This stands in contrast to western civilization, which, having distanced itself from religion and overemphasized individual freedom, has faced repercussions that weakened societal bonds.

3- Balancing individual and societal ethics: Value systems can be disrupted when the group is favored at the expense of the individual, and vice versa. The world today grapples with the fallout from both imbalances. It is posited here that Islam offers a harmonious model, preserving societal integrity without compromising individual rights, and valuing personal freedom without detriment to the society.

4- Infusing societies with Islamic values: Islam emphasizes ethical values in its doctrines that pertain to both individuals and society, and in regulations governing international relations. Principles like justice, benevolence, the rejection of oppression, and avoiding immorality are paramount. These Islamic values are profoundly needed at individual, societal, and global levels.

Additionally, a chapter is dedicated to the interplay between civilizational advancement and ethical values. This section emphasizes a crucial truth: when sourced from a compelling faith, religious ethics become foundational to civilizational growth, especially when that religion promotes holistic human development.

The fatwa's role in advancing ethical values is highlighted along with the profound link between fatwas and ethics. It demonstrates how Islamic decrees are in harmony with ethical principles, asserting that religious directives and ethical judgments are congruent. Fatwas emerge as pivotal tools for disseminating Islamic ethics, and the book elucidates how a jurist can achieve ethical ends when presenting a religious directive.

The pillars of ethical fatwa are explored in another chapter, summarized as:

1. Advocating moderation in fatwa issuance.

2. Recognizing the ethical implications of a fatwa.

3. Linking Islamic religious rulings with moral standards.

4. Maintaining core principles while acknowledging evolving circumstances.

5. Making moral values a factor in fatwa deliberations.

Lastly, practical fatwa examples from renowned councils are provided, underscoring the role of fatwa in consolidating moral values.

4- Fatwa and Charitable Work

Islamic teachings strongly encourage all kinds of charitable work. God Almighty says, "O you who have believed, bow and prostrate, and worship your Lord, and do good — that you may succeed" (Quran, 22:77). God Almighty commands us in this verse to engage in good deeds of every kind, including righteousness, almsgiving, speaking kind words, etc.

Fatwas are paramount in the domain of charitable acts. Given their integral role in guiding people's lives, fatwas reveal the truth of people's actions and aim to foster a closer connection to the Almighty. Fatwas represent an important ritual that encompasses the ethos of charitable undertakings. Moreover, fatwas serve as a pivotal tool in amplifying and refining charitable endeavors, underlining the profound link between them and acts of charity. Both epitomize Islamic identity and represent a humanitarian endeavor indispensable to Islamic communities.

This section explores the interplay between fatwas and charitable actions, highlighting the pivotal role of fatwas in supporting, cultivating, and refining the spirit of charity. Charitable work is defined as acts of righteousness and benevolence performed by members of civil society, starting from the individual, through the group up to institutions. Charitable work transcends mere resource allocation, financial management, and lawful disbursement. It encompasses strategic planning for societal growth and development, leveraging cultural, propagandistic, and media initiatives.

The intrinsic attributes and guidelines of charitable work within the purview of Islamic jurisprudence are outlined. Chief among these are:

1- Sincerity: Undertaking acts with genuine intent, seeking the pleasure of God.

2- Inclusivity and universality: Charitable endeavors should include all aspects of life at all individual, collective, and institutional, material, and moral levels, and should cater to all segments of society.

3- Diversity: Numerous religious texts exhort a myriad of benevolent deeds, accentuating the multifaceted nature of charitable work.

4- Persistence and consistency: Prophet Muhammad (peace and blessings be upon him) emphasized the value of sustained acts of devotion, stating, "The most beloved deeds to God are those which are consistent, even if they are small."

Also mentioned are the different avenues of engaging in charitable work, which can be financial, material, moral, emotional, cultural, religious, educational, medical, social, etc.

An independent chapter is dedicated the different kinds of charity in Islamic jurisprudence which are divided into five categories:

1- The social sector

Examples include assisting those afflicted by disasters, supporting the oppressed, preventing oppressors from causing harm, disbursing alms, reconciling between the people, speaking kind words, promoting forgiveness and social solidarity. This also encompasses caring for orphans, aiding widows, and supporting the elderly.

2- The educational sector

This sector aims to combat illiteracy among the elderly; educate individuals with special needs; teach vocational skills to the youth; teach the Holy Quran, Islamic sciences, foreign languages; supply and distribute educational materials, and host academic seminars and conferences.

3- The medical sector

Key activities include founding healthcare facilities for patients, supplying essential medical resources, advancing medical awareness through diverse media, and encouraging blood donation.

4- The public services sector

This involves supplying water, feeding the hungry, donating clothes, and building mosques.

5- The environmental protection sector

Efforts focus on planting trees, preventing deforestation, ensuring public cleanliness, and water conservation.

Another chapter examines the relationship between fatwas and charitable work. It explores the pivotal role of fatwas in supporting and propagating charity work various strategies that develop, expand, and enhance such activities. The fatwa provides guidance on various charitable actions, elucidates their funding avenues, designates their expenditures, and highlights their fields. Moreover, it advises on potential impediments. Essentially, a fatwa supervises charitable activities, ensuring they align with their core objectives.

Additionally, the chapter emphasizes that fatwas specify the funding sources for charity, such as zakat, endowments, gifts, found items, sacrificial offerings, and other contributions. Fatwas elucidate the validity of these channels in financing diverse charitable projects.

The Encyclopedia also devotes a special section to the influence of the different charitable works on changing fatwas. It posits that the dynamic nature of charitable interests, in tandem with societal progress, can lead to a change in fatwas. As charitable needs change in response to societal shifts, fatwas adapt to ensure they remain consistent with the Shari'ah. Fatwas, as described, change based on time, place, individuals, and prevailing situations.

The Encyclopedia likewise dedicates a chapter to the influence of fatwas on the development of modern charitable institutions. The chapter provides a variety of fatwas issues by various fatwa authorities and bodies, emphasizing their role in the multifaceted realm of charity. The aim is to both expand these fields and enhance their operations.

5. The Fatwa and the Sanctity of Human Life

This section of the Encyclopedia discusses the pivotal role a fatwa can play in preserving human life. It emphasizes the value placed on human life in Islamic jurisprudence and the extent to which Islam seeks to protect life from harm. This protection is rooted in the foundational tenets of the Shari'ah, highlighting the gravity of with inflicting harm on another.

However, a fatwa's treatment of this subject must transcend traditional jurisprudential discussions. It needs to be in tune with daily occurrences, keep abreast of evolving methods of assault on lives, and be sensitive to changing moral landscapes. These shifts directly impact the security and sanctity of human lives, necessitating religious scholar to act decisively against threats or potential harm, armed with a comprehensive understanding of contemporary challenges, advancements in weaponry, and technological progress.

The chapter posits that the preservation of life is intrinsic to the very fabric of existence, ensuring its wellbeing and equilibrium. Thus, all Abrahamic religions enshrine the inviolability of life.

The first section of the chapter explores the reliance of fatwas on a holistic Islamic methodology for the preservation of lives. This methodology is discussed in the following:

1- Balancing between punitive and preaching aspects of fatwa in preserving lives.
2- Balancing between the preventive and punitive aspects of fatwa.
3- Fatwa and striking a balance between the rights of the victim and the accused's right to a fair trial.
4- Demonstrating through fatwa that the preservation of life is one of the objectives of the Shari'ah.
5- Demonstrating through fatwa that that causing harm to oneself is tantamount to harming others.
6- Fatwa and warning against protecting or concealing murderers.
7- Demonstrating through fatwa that preservation of life starts before birth.
8- Demonstrating through fatwa that preservation of life is pivotal to societal stability and security.
9- Demonstrating through fatwa that safeguarding lives is integral to upholding human honor.
10- Actualizing the principle of equality through fatwa.
11- Demonstrating through fatwa the principle of limiting war to self-defense and supporting the oppressed.
12- The role of fatwa in illustrating the legislations related to the preservation of lives and addressing any misconceptions surrounding them.

Another section of the book addresses how fatwa addresses new developments relating to preservation of lives. This is addressed in the following:

- Exploring the mufti's approach to contemporary issues and challenges related to the preservation of lives, the necessity of remaining cognizant of new developments regarding crime, crime prevention, and the preservation of lives on both the domestic and international fronts.
- Discussing the fatwa's perspective on modern and indirect means of killing, the mufti's pivotal role in ensuring that their fatwa actively works to prevent or at least minimize crimes against life, and keeping abreast of the latest trends in crime and its countermeasures is essential. Modern instances of indirect killing, such as an emergency responder's neglect leading to a casualty or a firefighter's failure to save someone from a blaze, are discussed. This part emphasizes the fatwa's responsibility in challenging any incitement to kill. The surge of information systems and the omnipresence of social media platforms, potent mediums for inciting crime and chaos, necessitate continuous vigilance from the mufti, especially regarding the influence of such platforms on the youth.
- Discussing the fatwa's engagement with international covenants on life preservation. In today's interconnected world, as nations forge stronger ties and mutual relations, it is paramount for fatwas to align with international covenants and agreements to avoid contradictions. Muftis must be well-versed in these accords, especially those that ensure citizens' safety both at home and abroad. These accords dictate a nation's interactions with foreign nationals during peace or conflict, addressing crimes committed against a nation's citizens or third parties, and scenarios where an individual commits a crime and subsequently flees to another country. Homicides are among the primary concerns.

The third and final chapter is dedicated to debunking incendiary fatwas and rectifying misconceptions surrounding jihad. It discusses the perils of fatwas issued by unqualified individuals which are a root cause of escalating violence and the unwarranted aggression against both Muslims and non-Muslims. This age has unfortunately witnessed a plethora of fatwas instigating violence, often rooted in misguided interpretations due to an absence of proper interpretative frameworks.

This section emphasizes the requirement that muftis be proficient in the jurisprudence of priorities and potential outcomes, especially concerning the preservation of human lives. It also demonstrates giving precedence to primary religious interests over secondary ones is at the heart of Islamic jurisprudence. It is vital to weigh future consequences; giving precedence to certain interests or mitigating specific harms depends on the resulting benefits or drawbacks, whether immediate or long-term. Recognizing these potential outcomes is necessary for accurate and judicious ijtihad and issuing sound fatwas. Consequently, it is imperative for the mufti to understand the benefits intended by the Shari'ah regarding various transactions, as rights are intrinsically linked to these benefits. For this reason, Egypt's Dar al-Ifta consistently applies this principle in its rulings, using the jurisprudence of priorities to navigate and address emerging challenges.

Numerous examples highlight this principle in practice. One fatwa clarifies the need to strike a balance between acts of worship, especially congregational prayers, and assisting those in distress or needing medical attention. Another fatwa addressed pharmacies in a particular village that closed during prayer times for over half an hour, leaving patients with no alternative pharmacy to go to due to the absence of a rotational system among the pharmacies. Egypt's Dar al-Ifta issued in its fatwa on this issue that these pharmacies must coordinate their schedules to ensure continuous service, ensuring that emergency cases, which might rapidly worsen with even short delays, are attended to. This collective responsibility is such that if some fulfill it, it absolves the wider community of any blame. However, if neglected by all, the entire community bears the sin. The fatwa further stressed that this rotational service system is akin to "ribat" (standing guard or vigil) in the path of God.

Section Nine:

Fatwa and Addressing Deviant Thought

This section encompasses several subsections, including:

- The challenges of fatwa.
- Confronting extremism through fatwa.
- Extremist interpretations in fatwa.
- Fatwa and countering hate speech.
- Fatwa and atheistic misconceptions.

1. The challenges of fatwa

Everything in existence has multiple many aspects. Some are advantageous and positive, while others harmful and negative. The value or harm of a thing often hinges on its application and the manner in which it is approached. For instance, money can be a blessing in the hands of the virtuous, but a curse when possessed by the corrupt. Similarly, knowledge is beneficial when pursued for noble causes, benefiting society and fostering global development, but it can be detrimental when it leads to destruction or the subjugation of individuals. This duality is seen in many aspects of life.

In the same vein, fatwas are subject to this universal principle. When entrusted to qualified individuals, fatwas pave the way for goodness, safety, progress, and growth. They flourish when accorded proper respect by both the layman and experts, especially under vigilant supervision and guidance. In contrast, when mishandled or exploited by those lacking the proper expertise or credentials, fatwas can become a vehicle for mischief, radicalism, backwardness, and decay. The perils of radical fatwas are not alien to us.

Historically, scholars, jurists, and religious leaders have been acutely aware of the weighty responsibility that comes with issuing fatwas. They safeguarded the process with stringent regulations, standards, directives, and precautions. They penned detailed treatises on the subject, often becoming paragons of the very principles they chronicled — highlighting the importance of fatwa, the dangers of its misuse, and the most secure methodologies to uphold its sanctity and intended function.

To discerning observers, the ripple effects of unregulated and aberrant fatwas on the intellectual landscape of societies, whether Muslim or non-Muslim, are apparent. Within Muslim communities, such deviant fatwas —promoted as the "authentic" rendition of Islamic law — yield grave challenges, including:

- Eroding trust in religious and state institutions.
- Resisting and stymying national economic trajectories.
- Instigating division and strife among families, peers, neighbors, and colleagues over minor disagreements.

- Endorsing allegiance to radical factions that legitimize violence and appropriation in the name of religion.
- Inducing widespread unease and perplexity due to conflicting fatwas.

Similarly, in non-Muslim societies, these misguided fatwas not only perpetuate misconceptions but also paint Islam in a distorted light, contributing to the proliferation of "Islamophobia" worldwide. This hinders the global outreach of Islamic teachings and strains the interactions between Muslims and the international community.

Given the multitude of issues surrounding the topic, it is crucial to identify the primary factors muddying the clear waters of legitimate fatwas rooted in the proper scientific methodology. These hindrances can arise from academic inconsistencies, stemming from a skewed methodology; from psychological factors, owing to the issuer's inadequacy; from intellectual biases directing the fatwa; or even from administrative challenges that emerge from the organizational systems guiding fatwa issuance in Muslim nations.

This section of the Encyclopedia delves deeply into these challenges, seeking to identify and address the root causes and proposing effective solutions to circumvent them. Such diligence ensures that fatwas remain untainted, steering clear of misinterpretations, thereby serving their core purpose of human enlightenment, worldly betterment, and enhancing the quality of life.

Recognizing the gravity of this subject, this section is divided an introduction and three chapters.

The introduction demonstrates the importance and gravity of fatwa. It draws attention to the strong warning of the noble Shari'ah against laxity in fatwa delivery. The stances of the pious Predecessors and Imams of this Ummah concerning fatwa and the respect they held for it are presented. This section then delineates the characteristics of a meticulously crafted fatwa, emphasizing its benefits in both short and long terms. Finally, it emphasizes the imperative to remain cautious of potential pitfalls in fatwa issuance and outlines the precautions that should be heeded.

The first chapter explores into the genesis of challenges in fatwa. It starts with a definition and the potential risks of these challenges. They are then divided based on their origins and causes into:

1- Academic causes: These include ignorance of the foundational principles of istidlal, ignorance of the objectives of the Shari'ah, unawareness of contemporary realities, and a lack of understanding of the broader implications of rulings.

2- Intellectual and psychological causes: Given their varied nature, the most prominent are discussed, including sacrificing religious values for appeasement, gravitating towards strictness, being deceived by leniency, desire for fame, and flawed perceptions.

3- Administrative causes: Typically arising from managerial lapses in fatwa institutions, examples include a vague framework for fatwa criteria within an institution, deviations from established standards by institutional members, or fatwa inconsistencies.

The second chapter is earmarked for discussing the diverse types of fatwa challenges, categorized by their manifestations:

1- Aberrant fatwas: The meaning of aberrancy of fatwa is discussed along with the contributing causes with examples.

2- Incoherent fatwas: The term "incoherence" in a fatwa is defined, along with the distinction between it and aberrancy and its underlying causes.

3- Fatwas that are inconsistent with the Objectives of the Shari'ah: Here, the relationship between a fatwa and the objectives of the Shari'ah is explored, as well as the repercussions of failing to issue a fatwa based on the objectives of the Shari'ah.

4- Fatwas inconsistent with legal evidences: This part elaborates on instances where a fatwa contradicts an explicit religious text or deviates from established evidences.

5- Fatwas that contradict prevailing customs: This part examines the interplay between fatwas and customary practices. It also delves into the consequences of divorcing fatwas from established customs.

6- Fatwas that are incompatible with laws, regulations, and international covenants that are in harmony with the Shari'ah. It is necessary for the Shari'ah to take into account internationally agreed-upon laws and treaties that are Shari'ah-compliant. Examples of fatwas that adhere to international laws and treaties are provided.

The third chapter is dedicated to addressing the challenges associated with fatwa issuance. The first part of the chapter stresses the critical need for a strong academic foundation for muftis, positioning it as a solution to the academic challenges of fatwa issuance. This followed by preparing muftis, both psychologically and intellectually, as a remedy for the intellectual and emotional challenges often encountered in fatwa issuance. The chapter also stresses the necessity of instituting clear guidelines for fatwa issuance, urging the competent authorities to oversee and standardize the process to prevent chaos in fatwa. A significant portion of the chapter underscores the importance of group fatwa issuance, urging adherence to its standards, and advocates for the professional development of fatwa institutions, presenting this as a solution to the administrative hurdles in fatwa issuance.

From this, the value of the Egyptian Encyclopedia for Fatwa Sciences becomes evident. It serves as an invaluable guide, alerting scholars and muftis to potential pitfalls in fatwa issuance, ensuring that the resulting rulings, especially those from esteemed official bodies, are free from extremism, aberrancies, and incoherencies. In doing so, it aims to protect societies from undue influences and encroachments in the realm of fatwa issuance.

2- Fatwas in the Face of Extremism

The phenomenon of extremism stands out as one of the most challenging issues, given its origins in social, psychological, economic, religious, and political factors. The rise of extremism are difficult to forecast due to the scope of these factors. Notably, religious motivations —especially fatwas— have played a pronounced role. While certain unconventional fatwas have contributed to the rise of extremism, they have also been instrumental in combating it, serving as the cornerstone of tactical responses, especially those anchored in intellectual and corrective approaches.

The connection between fatwas and extremism is explored in this part of the Encyclopedia. While highlighting the potential of fatwas as formidable instruments to combat extremist narratives, it examines how certain deviant fatwas may both influence and promote extremism.

The Encyclopedia goes into detail on the specifics of contemporary extremism, distinguishing it from other related terms like terrorism and radicalism. Extremism is further divided into three categories: ideological, rhetorical, and violent extremism.

The use of fatwas to support extremism or encourage violence is not a modern phenomenon. Fatwas have always been used by extreme groups to justify their actions. This section traces the evolution of extremist fatwas in Islam, beginning with the Khawarij up to modern groups like ISIS.

The discussion also encompasses the motivations and domains behind extremist fatwas. These fatwas, often tailored to serve specific group interests or ideologies, cover diverse areas. Examples include fatwas endorsing the killing of military and police personnel, fatwas excommunicating entire societies, fatwas prohibiting participation in elections, etc.

This section explains that extremism does not emerge from a single cause, but rather from a web of interconnected causes that span the psychological, social, economic, religious, and political spheres. These motives are the underlying drivers, essentially shaping the phenomenon. The emergence of this phenomena is greatly influenced by the unregulated (or deviant) fatwa, which takes advantage of the many incentives indicated. The book focuses on the impact of these erroneous fatwas in encouraging extremism in a number of expressions, including:

- Recruitment of terrorist groups: In recent times there has been a surge in the number of fighters joining extremist factions. These groups harness technological, religious, and media tools to enlist as many young individuals as possible, with the deviant fatwas bolstering this enlistment.

- Justifying acts of terrorism: Terrorist groups seek to palliate the heinous acts they perpetrate in the name of religion by resorting to fatwas to justify their actions.
- Grounding extremist terminology in religion: The early proponents of contemporary extremist thought have undertaken the task of developing a new conceptual framework through which they rooted their extremism and terrorism. They exploited the institution of fatwa to lend religious credence to these conceptualizations.
- Supporting incendiary and violent rhetoric: Fatwas have emerged as crucial instruments in policies of provocation, violence, and hate-mongering adopted by radical factions, often serving as the veneer of justification for these egregious acts against humanity.
- The proliferation of Islamophobia: Muslim minorities, especially in the West, often turn to Islamic centers for guidance. This makes the issuance of unqualified fatwas especially perilous. It has inadvertently catalyzed the rise of Islamophobia, as the realm of fatwa issuance becomes dominated by imams affiliated with radical ideologies or actions, making them the de facto religious arbiters for European Muslims.

The section elucidates the pivotal role of fatwas in confronting extremism. The fight against extremism is broad and necessitates the use of all available tools and resources in support of a determined counter-strategy. Globally accepted tactics are comprehensive and heavily emphasize intellectual engagement. When addressing extremist ideology, these philosophical debates cannot be divorced from the employment of istidlal, requiring the reliance on contemporary fatwas that reflect the evolving landscape. They not only correct concepts that extremists attempt to redefine or misrepresent but also challenge aberrant fatwas, refute extremist misconceptions, and present qualified fatwa authorities.

The section also highlights the most important areas where fatwas play a central role in countering extremism. These are:

1- Extrication of concepts: There is no doubt that this issue forms a huge part in all intellectual challenges that our Ummah faces today. The fight for clear and authentic conceptual understanding stands at the forefront of the war against terrorism and extremism. Fatwas have been instrumental in extricating these concepts from terrorist overtones.

2- Debunking extremist misconceptions: Extremist media outlets often disseminate misleading narratives fortified with selective evidence. These narratives, designed to either support their radical ideologies or undermine moderate perspectives, are effectively countered by fatwas that expose their fallacies.

3- Fatwa institutions combating extremism: This section explores the transformative journey of Egypt's Dar al-Ifta. Evolving from a fatwa-issuing body to an institution deeply invested in broader religious affairs, it underscores the profound influence of fatwas. The section details the initiatives undertaken by Egypt's Dar al-Ifta, offering an evaluation of their impact and significance.

3. Fatwa deviances of Extremists

A grave challenge facing the Muslim Ummah, and indeed all of humanity today, is the emergence of terrorist groups. Beyond the obvious dangers of bloodshed, destruction, and terror, these groups spread their deviant ideologies, particularly targeting the youth who are the very backbone and future of our societies.

One of the ways through which they disseminate their extremist ideas is through fatwas that depart from the core tenets and objectives of the Shari'ah. These groups use the ease of information sharing to widely spread their fatwas across all media, especially contemporary ones.

Cognizant of the Muslim community's pressing need for genuine religious guidance, these groups disseminate a series of their own skewed and radical fatwas, claiming them to be the true edicts decreed by God and echoed by the Prophet (peace and blessings be upon him). Concurrently, they brazenly critique official religious scholars and muftis, labeling them as "puppet scholars" who have allegedly traded spiritual integrity for worldly benefits. They assert that mainstream fatwas dilute the clear mandates of the Shari'ah.

These extremist groups operate both as organized entities and through individuals seemingly acting on their own initiative. The average layperson, not well-versed in religious subtleties, may be misled by these fatwas, especially when they are interspersed with Quranic verses and Prophetic traditions, mistaking them as the true edicts of God and His Messenger (peace and blessings be upon him).

Driven by the divine responsibility bestowed upon us and the sacred trust that God has chosen us to uphold, it is our duty to enlighten the seekers of truth and unveil the reality to those who yearn for it.

In this spirit, the General Secretariat for Fatwa Authorities Worldwide has dedicated four comprehensive volumes of Egyptian Encyclopedia for Fatwa Sciences addressing fatwa deviations. This section presents undeniable evidence exposing the ignorance of these radicals, questioning their authority to lead or issue fatwas, and highlighting their notable deviations. This is discussed from two angles:

The first is theoretical, which brings together the deviant jurisprudential foundations that lead to such deviations in fatwa.

The second is practical, offering a compilation of key examples of these deviant fatwas, accompanied by some of their misaligned ideological tenets that drive them to commit acts of terror, excommunicate fellow Muslims, and unjustly infringe upon their rights, wealth, and honor. Comprehensive counterarguments and refutations are provided for each point.

The theoretical perspective

1- Ignorance of Shari’ah-based evidences: One of the primary concerns addressed was the deviation resulting from a lack of understanding of Shari’ah evidences. This ignorance encompasses not just a lack of comprehension about the nature of the evidence, but also of the means of interpretation and application. For instance, some issue fatwas that dictate the mandatory donation of food to fulfill the obligation of zakat al-fitr and vehemently criticize those who pay it out in cash. Yet, many esteemed early scholars and the majority of contemporary scholars permit such the latter. Proponents of the former position justify it by authentic hadiths, notably the one both Bukhari and Muslim agree upon from Abdullah bin Umar. This hadith states that the Prophet (peace and blessings be upon him) decreed the measure of zakat al-fitr to a sa’ of dates or barley for every Muslim, free or enslaved. Their stubborn hold to their position demonstrates their ignorance of the different scholarly opinions on the issue and the nuances of interpreting evidence.

2- Inconsistency among groups: Another signifier of deviant fatwas, as mentioned in the literature, is the evident inconsistency among these groups. Their disseminated fatwas, whether in books, letters, or online platforms, are saturated with citations from various scholars. They seem to leave no scholar unquoted and base many of their fatwas on these teachings. Paradoxically, they assert themselves as individuals of profound insight. This poses a contradiction: if they truly were insightful, they would not rely heavily on the words of others to issue fatwas or validate their interpretations. True jurists derive their conclusions from primary sources: the Quran, Sunnah, ijma, qiyas, and other established methods. Relying heavily on the statements of past scholars contradicts their claim to insight, and to deep understanding.

3- Falsely claiming to follow in the footsteps of the Righteous Predecessors: A noticeable contradiction is their false proclamation to follow the methodologies of the Righteous Predecessors. While extremists vocally claim to be the sole followers of the Righteous Predecessors, they simultaneously accuse the broader Muslim community of deviation and, at times, even disbelief or polytheism. Their inconsistency is evident in their calls to abandon traditional school allegiances and directly

derive legal rulings from the Quran and Sunnah without mediation. However, it is well-established that many early Muslims, revered for their righteousness, were either scholars in their own right or sought knowledge from established scholars, respecting and following their insights. Arguing for a direct, unmediated approach to religious texts is not in line with the practices of these predecessors, as only those qualified and with rigorous training can genuinely engage in such direct interpretation.

Criteria of Fatwa Deviation

1- Deviation from established scholarly norms in fatwa issuance:

- Leveraging emotions to convince people of their fatwas' validity.
- Drawing in the general public, who lack specialized knowledge in the intricate facets of Shari'ah, into their fatwa discussions.
- Prioritizing their group's interests over the broader interests of the Muslim community.
- Criticizing and disparaging their opponents, regardless of the latter's scholarly stature, even if they belong to the esteemed early scholars.
- Designating official institutional fatwas as fatwas of "state-appointed scholars," implying that they are not religiously valid.
- A consistent disconnect between their fatwas and real-world scenarios.
- Blurring the distinct roles between fatwa issuance and judicial decision-making.

2- Deviation due to compounded or conflicted Shari'ah concepts:

- Having a compounded understanding of the concept of bid'a in religion (innovation).
- Having a compounded interpretation about interactions with non-Muslims.
- Making unclear distinctions between the application of Shari'ah and adherence to secular laws.
- Misunderstanding the proper etiquette concerning the Prophet (peace and blessings be upon him) and the practice of following his teachings.
- Having a compounded view of women's roles and interactions.

The Practical Front

The book examines practical deviations in fatwa among extremists, exploring topics such as:

- Takfir (excommunication).
- The premise of societal ignorance and governance from a religious perspective.
- Implementing Shari'ah in governance.
- The nuanced aspects of tawhid (monotheism), categorized into divinity, lordship, and the study of divine names and attributes.
- The concept and issues around bid'a in religion.
- Interpretations of jihad.
- Modern electoral practices.
- Respect for human heritage and history.
- The act of saluting the national flag.
- The ethics and implications of suicide missions.
- Issues surrounding captivity and historical practices of slavery.
- The complexities of citizenship within an Islamic framework.
- The theological division of territories into the "land of disbelief" and the "land of Islam".
- Rituals and practices like tawassul (seeking intercession) and istighatha (seeking help).

4- The Fatwa and Hate Speech

Humanity has grappled with the repercussions of hate speech. The fatwa, an integral element of religious discourse, plays a pivotal role in shaping public consciousness. As such, it is essential to refine and nurture this area to promote societal peace, which subsequently can lead to global harmony. The neglect of this aspect has given rise to various forms of extremism and disturbances in societal harmony across numerous countries.

Numerous hate crimes, influenced by misguided fatwas and extremist narratives, have targeted individuals based on differences in religion, race, and gender. Misguided teachings and fatwas have further catalyzed deviant behaviors and crimes against minorities. This volume aims to address these pressing concerns.

This section introduces the concept of hate speech and references the United Nations' definition as: "Any form of communication, verbal, written, or behavioral, that attacks or employs derogatory or discriminatory language towards an individual or group based on their identity — whether religion, ethnicity, nationality, race, color, lineage, societal class, or other defining factors." It further elucidates the United Nations' strategy and action plan on hate speech. This strategy acknowledges the potential of hate speech to incite violence and erode social unity. It emphasizes that over the past 75 years, hate speech has set the stage for heinous crimes, including genocide.

This strategic approach is designed to equip the United Nations with the means and resources to combat hate speech, which threatens the organization's core principles, values, and initiatives. The strategy provides guidance to the UN system on addressing hate speech and includes mechanisms to support the UN's resident coordinators in their on-ground efforts to combat it.

The challenge of countering hate speech through fatwa is discussed from two perspectives:

The first perspective

This delves into the official fatwa position on hate speech, examining the foundational Islamic teachings in the Quran and Sunnah, as well as the jurisprudential rules governing the response to hate speech.

This section underscores that fatwa's approach to addressing hate is rooted in several core doctrinal, ethical, and procedural tenets. From these, the fatwas of Egypt's Dar al-Ifta have been derived, guiding the policies of the General Secretariat for Fatwa Authorities Worldwide. Key among these principles are Islam's advocacy for eradicating corruption, fostering

peaceful coexistence, stewardship of the earth, and ruling with justice and equity. Also integral is the application of the Shari'a'h's objectives, universally revered across religions, which include the preservation of life, religion, wealth, intellect, and human dignity — especially in light of the threats posed by hate-induced crimes and misdemeanors.

Firstly: The mufti employs jurisprudential and purpose-driven maxims that illuminate the path for issuing fatwas pertaining to public rights, maximizing benefits, and mitigating harm. Some of these guiding maxims are: "Harm should be removed," "A necessity is measured by its extent," "Specific harm is endured to prevent broader harm," and "Public welfare is prioritized over individual interest." These maxims, among others, are established to safeguard the overarching interests of the Islamic Ummah, encompassing its unity, solidarity, preservation of faith, security, economic prosperity, and more. They play a crucial role in governing the relationship between an individual and the broader community, emphasizing the welfare of the collective over singular benefits. The mufti's chosen principles occasionally necessitate sidelining certain individual rights for the greater good of the collective.

Secondly: This section underscores the fatwa efforts in countering hate speech. It showcases fatwas from the Egypt's Dar al-Ifta that echo Islam's advocacy for coexistence, peace, renunciation of violence, mutual understanding, cooperation, love, and support. This is corroborated by the Quranic verse, "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another." (Quran, 13:13).

These fatwas further emphasize the obligation of Muslims to promote peaceful coexistence, reject enmity, accept current customs, and uphold legal frameworks in every culture or country where they reside. This is consistent with Prophet Muhammad's teachings on peaceful coexistence with other social systems, as illustrated by his foundational principles of citizenship in the "Constitution of Medina." It underscores the concept of equality in the worldly concerns of all citizens of the Islamic state.

The fatwas also reference the "International Covenant on Human Rights," where Article 9, Paragraph 1 affirms: "Everyone has the right to liberty and security of person." Assertions or allegations that support the unlawful acquisition of non-Muslims' possessions — under the pretext that they do not share our faith — and therefore it is legitimate to lay hands on them, are categorized as "hate crimes." Such actions have gained universal condemnation as reflected in Article 20, Paragraph 2 of the Covenant: "Any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law."

Lastly, the section elaborates on the proactive stance of fatwa institutions against hate speech, citing publications, statements, and initiatives. It references reports from the Islamophobia Observatory of Egypt's Dar al-Ifta's Media Center, which commend actions that challenge hate speech. The narrative also touches upon globally recognized reports and statements that criticize human rights violations and provocations targeting Muslim sensibilities.

This section cites the "The Charter of Fatwa Tolerance" released by the General Secretariat of Fatwa Authorities Worldwide. The document aims to:

1- Combat sectarian intolerance that could undermine the social fabric of nations and global communities.

2- Leverage doctrinal experiences to foster legal, social, and ethical advancements.

3- Combat attempts to exploit jurisprudential differences in disseminating hatred.

The document delineates concepts, principles, values, and actionable items. These include:

- "Tolerance" as the appreciation of intellectual and doctrinal differences without dogmatism, ensuring fairness in words and actions, and harnessing various experiences and ideas.
- "Hatred" is described as any point of view or behavior that supports deplorable discrimination against any ideology, gender, ethnicity, or religion.

One of the core values stressed in the document is peaceful coexistence. It underscores the necessity of managing and ethically understanding doctrinal variations and conflicts. The document supports human progress, adherence to globally ratified covenants and treaties, renunciation of hatred, utilization of jurisprudence and fatwa to mitigate extremism, and fostering trust in the scholars of Shari'ah.

Article (7) of the document declares:

"We pledge to adopt measures bolstering jurisprudential and fatwa tolerance both officially and legally. This involves:

Persuading nations and pertinent organizations to reject any entity or body promoting hatred, prejudice, violence, or advocating partisan objectives that deviate from sound scholarly principles or accepted fatwa guidelines.

Encouraging global legislative bodies to draw upon doctrinal jurisprudence in the formulation of laws and statutes.

Prohibiting any behavior that can cause friction or hostility between followers of different doctrines.

5- The fatwa and atheistic misconceptions

The relationship between fatwas and the lived experience of Muslims can be compared to the relationship between an element and its components; it is foundational and integral. At its core, a fatwa involves understanding the sacred texts - the Quran and Sunnah - complemented by other evidence from the principles of Usul al-Fiqh (Principles of Islamic Jurisprudence). This is juxtaposed against the dynamic realities shaped by time, place, circumstances, and individuals. As such, grasping this evolving reality in all its dimensions is a paramount duty.

Religious institutions not only clarify Shari'ah rulings in response to this ever-changing reality but also address the emerging challenges and crises. They actively counter misguided behaviors and confront skewed ideologies, whether those of contemporary extremists or the notions of atheism and atheists.

Atheism has increased significantly recently, notably in tandem with the rise of extremist ideologies supported by terrorist groups. Due to this, there is a pressing need for a commitment to intellectual and religious fidelity. There have been increased efforts to refute these atheistic claims and clarify the fundamentals of atheism for those entrusted with issuing fatwas.

This section provides an overview of atheism, follows its historical evolution in both the Arab and Western worlds, and explores its several subcategories, which are broken down into twenty different types. It further underscores the proactive role of fatwa bodies in contesting atheism through:

1- Monitoring atheistic narratives: The text cites the initiative of Egypt's Dar al-Ifta to monitor prominent figures and channels promoting atheism on platforms such as YouTube and Facebook.

2- Recognizing triggers of atheism: The primary causes of atheism are identified by Egypt's Dar al-Ifta. These include:

a. A reverence for scientific and technological advancements, leading some to believe matter is the ultimate creator.

b. The pervasive exchange of ideologies via globalized media, making the world increasingly interconnected.

c. Vulnerability to demonic temptations.

d. The tarnishing of Islam by extremist groups like ISIS and the Muslim Brotherhood.

e. Those whose faith is wavering choose atheism to ease their conscience and escape from moral and religious commitments.

f. A pronounced faith in human intellect's capability to benefit humanity outside divine guidance.

g. Personal traumas or feelings of abandonment by God pushing some toward disbelief.

h. Reflections on global calamities, fueling doubts about a divine overseer.

i. Religious disparities and the allure of a growing atheist demographic.

This section of the Encyclopedia presents the misconceptions of atheists. They are divided into general and specific misconceptions. General misconceptions are those that are not specific to the religion of Islam, but are specific to attacks on all religions per se. The specific misconceptions are those that pertain directly to Islam. Each of these is addressed and refuted.

Section Ten:

Fatwas and Modern-Day Issues

This section delves into several subtopics:

- Fatwas in the halal industry.
- Fatwas and the renewal of religious discourse.
- Fatwas in the age of digital transformation.
- Modern fatwas and the jurisprudence of revelation.
- Addressing women's issues through fatwas.
- The intersection of fatwas and family.
- Fatwas concerning cryptocurrencies.
- Fatwas addressing the challenges of the third millennium.
- Fatwas and the advent of new media.
- The role of fatwas in promoting sustainable development.
- Fatwas and climate change considerations.
- Fatwas in response to epidemics and disasters.

1- Fatwas in the halal industry

God Almighty sent messengers and set forth divine laws to ensure that people act with justice, permitting what God has sanctioned and prohibiting what He has forbidden. Consequently, there is a pressing need for diligence in ascertaining the permissibility of items in our daily lives, such as food, drink, clothing, housing, and earnings.

With Muslims globally committed to observing halal practices, and many residing in non-Muslim countries, the growing focus on Muslim minorities and the amplified interaction and collaboration between Muslims and non-Muslims has led to the rise of the "halal industry" which aims to offer products and services in alignment with Islamic law, covering areas like halal food, medicine, utensils, clothing, adornments, housing, earnings, and investments, ensuring a halal-centric lifestyle.

To connect these religious edicts with everyday life, it is important to stress the role of fatwas in the halal industry, which includes all the categories listed above and every aspect of living.

It is noteworthy that in 2020, the Fatwa Administration of the Ministry of Awqaf and Islamic Affairs in Kuwait released a three-volume encyclopedia titled "The Encyclopedia of Halal Industry." This comprehensive work addresses the halal industry, focusing on areas like food, medicine, clothing, and adornments, with focus on permissible earnings. It references fatwas from both early and contemporary scholars, decisions from jurisprudential councils, and recommendations from scholarly conferences. The work begins with Quranic verses and hadiths related to the halal industry, supplemented by essential terminologies.

The Encyclopedia emphasizes that the term "halal industry" is a relatively new concept, previously unexplored by early jurists. The term is defined as "the collective activities and procedures conducted by relevant bodies to provide products or services in compliance with Islamic law."

This section of the Encyclopedia differs from what is presented by the Kuwaiti Ministry of Awqaf in several ways:

Firstly, it focuses on fatwas from modern, official institutions, given their direct relevance to today's context. These are modern regulations from reputable fatwa authorities that are relevant to our present context, not just conventional fatwas from bygone eras.

Secondly, this section does not limit its discussion of fatwas and the halal industry to food, medicine, clothing, and adornments but extends to housing, income generation, and the frameworks of financial products and banking investments.

Thirdly, the Encyclopedia introduces a theoretical perspective on the halal industry, including its concept, significance, the role of the fatwa within it, and its foundational principles. This section highlights six core tenets of the halal industry:

1. Adhering to religious texts that are definitive in both transmission and interpretation.

2. Avoiding contradicting the ijma of scholars and the firmly set religious norms.

3. Upholding the overarching objectives of the Shari'ah.

4. Emphasizing facilitation.

5. Ensuring the realization of benefits.

6. Recognizing jurisprudential disagreements and their foundational rules.

Additionally, the section elaborates on five key principles governing jurisprudential disagreements:

1- Objection is not for issues where there is a difference of opinion but for what is agreed to be a requirement.

2- It is preferable to steer clear of disputes.

3- Courteous engagement with those holding opposing views is essential.

4. Efforts should be made to rectify the actions of those accountable.

5. Adopting the stance of an opponent is acceptable under a pressing need or to prevent adversity.

We believe this introduction offers a renewed understanding of the halal industry's underpinnings.

2- Fatwa and the renewal of religious discourse

The renewal of religious discourse has emerged as a pressing and firmly rooted Islamic imperative. It is the collective responsibility of qualified individuals, especially in light of the many challenges facing the Muslim community. There is a dire need to adapt religious narratives to resonate with contemporary audiences, ensuring they align with the dynamics of life and the distinct character of our times. This adaptation, however, must always honor the sacred tenets and overarching principles of the religious texts.

We stress that the collective wisdom of the Muslim community, spanning centuries, deems the renewal of religious discourse a scholarly endeavor. It is a task reserved for those deeply versed in the Shari'ah sciences and those who possess an acute awareness of contemporary challenges. Such experts ensure that Islamic rulings resonate with the evolving realities, which have both advantageous and detrimental impacts on humanity.

Furthermore, the inherent nature of our faith dictates periodic renewal. The unique attributes with which God has graced our Shari'ah necessitate this. The Shari'ah stands as an eternal beacon until the end of time and remains God's favored path, unaltered and unchangeable.

The relationship between the renewal of religious discourse and the challenges of contemporary societal is profound and symbiotic, given religion's paramount stature within Islamic societies and the sanctity of its tenets.

The revered Islamic Shari'ah, distinguished by its universal applicability, caters to the needs of all beings, with humans at the forefront. Its evolving religious discourse addresses the distinct needs of each era and place, conforming to new imperatives but never straying from Islam's foundational principles.

The sought-after renewal in Islamic discourse is a development grounded in Islam, not its modification. For Islam, in its essence, requires no renewal. Religious discourse serves as the conduit to communicate the divine intent to the masses, necessitating a pragmatic and moderate interpretation of the Shari'ah, devoid of extremes. A disciplined renewal will only reach its pinnacle when it embodies attributes that position it at the forefront of discourses, leveraging contemporary tools, addressing shortcomings, and when executed aptly, has the power to inspire hearts, enlighten minds, and provide clarity and comfort to souls.

This section of the Encyclopedia emphasizes that discussions on renewal are not driven by fleeting events or short-lived circumstances. Rather, they stem from foundational Islamic principles and scientifically established methodologies, enjoying consensus among scholars — they are not influenced by external dictates from one source or another.

Furthermore, the section highlights that the renewal of religious discourse is currently an urgent obligation. The Muslim community must actively address this responsibility through specialized institutions and esteemed scholars.

In recent times, there has been a convergence of factors underscoring the necessity to renew religious discourse to ensure it remains relevant to the evolving needs and challenges of the contemporary Muslim world. Such an imperative has motivated numerous Islamic institutions across Muslim-majority countries to embark on this transformative journey.

Delving into the essence of Islam's teachings, one discerns that the concept of renewal is intrinsic to the religion. If not considered synonymous with Islam, renewal is undoubtedly a fundamental aspect of it. When renewal flourishes, an effective Islamic system thrives within society. In contrast, if renewal is halted or neglected, Islamic teachings risk being relegated to mere rituals in mosques or graves. They may even be reserved for specific occasions, practiced with a degree of hesitancy. This subdued approach is precisely the scenario desired by adversaries of the Ummah.

This section of the Encyclopedia delineates the multifaceted nature of the renewal religious discourse which includes doctrinal, intellectual, foundational, civilizational, political, cultural, and educational domains. However, it is paramount that this renewal is consistent with established Islamic tenets and authentic religious scriptures.

The section places particular emphasis on the pivotal domain of the renewal religious discourse — the fatwa. This is the central theme of the book. It ventures into defining 'renewal of religious discourse', elucidates the significance of religious discourse, the regulations governing its renewal, and its various spheres of operation.

A chapter is dedicated to bring to the fore Egypt's commendable strides in renewing religious discourse.

Additionally, another chapter is reserved to listing the impact of this renewal. These comprise:

1- Dispelling misconceptions and doubts aimed at Islam.

2- Ensuring the younger Muslim generation remains rooted in their faith, recognizing the foundational pillars of Islam and its rich civilizational legacy.

3- Neutralizing extremist ideologies, which include terrorism, radicalism, atheism, and other detrimental thoughts.

4- Increasing non-Muslims' understanding of and interest in Islam

Lastly, the Encyclopedia allocates an exhaustive section to the practical dimensions of renewing religious discourse. This section underscores the role of Islamic jurisprudence in this renewal which include ten pivotal areas: apostasy regulations, freedom of belief, the nature of the caliphate, the dynamics of sovereignty, political diversity, harmonious coexistence with diverse communities, etiquette of greeting non-Muslims during their festivals, guidelines for women traveling without a guardian, women in leadership and judicial roles, principles of allegiance and dissociation, and the stance on international legal arbitration.

3- Digital transformation and fatwa

Today's global scene is governed by a competitive framework that has ushered in a set of new rules and principles. Stepping away from these or attempting to change them essentially means bowing out of this competition. One of these pivotal principles is "digital transformation", now a fundamental necessity in every sector and institution. The advancements in communication technology and electronic digitization represent the main avenues for enhancing services across various organizations. Given this context, Egypt's decision to pursue this strategic direction and its subsequent push for a comprehensive digital overhaul of all state institutions is both timely and expected.

Regardless of whether the fatwa industry offers a service or spiritual guidance, its primary focus remains on promoting its product to the best degree of professionalism and efficiency. Consequently, fatwa institutions have not remained aloof from the global momentum towards digital transformation. These entities are making strides in this direction, aiming to fully harness production tools, with a special emphasis on the invaluable human element, the core of the fatwa process.

Digitization is succinctly defined as "a managerial strategy to modernize information, striving to enhance services for both citizens and institutions. This strategy maximizes available information resources by leveraging physical, human, and ethical assets within a state-of-the-art electronic framework, ensuring optimal utilization of time, money, and effort, all while maintaining the highest quality standards."

This section delves into the evolution towards digital systems and cutting-edge communication tools in the realm of fatwa issuance. It articulates the stance of fatwa institutions on digital transformation, elucidates its challenges, methods of implementation, and draws upon both national and international experiences. Furthermore, it spotlights the salient issues encompassing the digitization process and digital evolution.

4- Contemporary fatwa and jurisprudential revelation

In recent jurisprudential discussions, the term fiqh al-tanzeel (jurisprudential revelation) has gained traction. Though a relatively novel term, absent from classical treatises, its underlying concept was familiar to early scholars and occasionally surfaced in their writings.

Contemporary fatwas, essentially interpretations providing legal rulings on modern-day contexts, hold pivotal positions in disseminating and implementing Shari'ah rulings, all designed with specific objectives in mind.

The Shari'ah decrees are general and overarching, while human actions are specific and nuanced. The essence of fiqh al-tanzeel lies in adapting these broad decrees to particular actions in a manner that is consistent with their spirit and the objectives of the Shari'ah. This adaptation takes into account intentions of individuals, circumstances, essential needs, or any prevailing ambiguities. It is a process that considers potential outcomes, is rooted in the present, anticipates the future, respects traditions, ascertains priorities, weighs different factors, and ultimately aims to fulfill specific objectives. Given its timeless relevance, fiqh al-tanzeel is indispensable, as ethical obligations are incomplete without it. This underscores its inclusion as a central topic in the Encyclopedia.

The Encyclopedia defines fiqh al-tanzeel as the knowledge pertaining to the application of the Shari'ah rulings to real-life situations in a way that is consistent with the objectives of the Legislator.

This section discusses the concept of the contemporary fatwa, its place within the Shari'ah, the definition and foundation of fiqh al-tanzeel, its importance, characteristics, and the relationship between fiqh al-tanzeel, textual jurisprudence, and ijtihad.

Furthermore, this section explains the guiding principles of fiqh al-tanzeel Which include understanding the context, recognizing the intent of the accountable party, considering the prevailing circumstances, anticipating the consequences, understanding the realities, acknowledging customs, upholding the objectives of the Shari'ah, prioritizing rulings, and the jurisprudence of striking a balance.

The Encyclopedia emphasizes that the adherence to these guiding principles streamlines the process of fiqh al-tanzeel. Additionally, this Encyclopedia, dedicates a chapter to the methodologies of fiqh al-tanzeel. It underscores that the goal of fiqh al-tanzeel is to aptly apply Shari'ah rulings to situations in a way that embodies the intentions of the Legislator. This represents the mufti's culminating effort after they have comprehensively and accurately assessed a situation, categorized it, and matched it with Shari'ah rulings derived from the texts.

The act of applying these rulings is the tangible implementation of well-established Shari'ah decrees, tailored to specific situations, ensuring their objectives are met and their implications are rightly considered. If a particular ruling aligns seamlessly with a new scenario, a jurist will validate and execute it, provided it is consistent with the objectives of the Shari'ah without inducing harm or deviation. However, if an obstacle arises that impedes the direct application of a Shari'ah ruling, a jurist must opt for one among five approaches: deferment, exemption, halting, amendment, or alteration.

The book provides an in-depth discussion of these five approaches, supplemented with practical examples.

5- Women's issues from a fatwa perspective

Before the advent of Islam, women were marginalized and undervalued, stripped of even their most fundamental human and material rights. They were denied rights such as inheritance and ownership, and their opinions were seldom sought or valued. In pre-Islamic societies, women were often confined to serving men or exploited for men's needs.

This perception mirrors the widespread views of women in pre-Islamic eras, where they were seen through the lenses of humiliation, weakness, and derision. A testament to this is the prevalent practices of those times, such as the harrowing act of burying newborn daughters alive. Men were engulfed in sorrow upon the birth of a daughter, fueled by the belief that females were harbingers of shame and poverty. They believed women were unfit for earning or combat, unlike males, or they feared women might be captured in battle, bringing shame to the family.

However, Islam heralded a transformation, elevating women's status and championing their rights. It sought to eradicate the myriad forms of oppression women had faced over the various periods of history. This commitment to women's rights shines through in Islamic laws and edicts, rooted in principles that uphold women's dignity and status. Islam propounds the concept of gender equality in rights and duties. God Almighty says, "O mankind, fear your Lord, who created you from one soul and created from it its mate, and from them both dispersed many men and women" (Quran, 4:1]). This concept is also reflected in their shared religious obligations.

Islamic jurisprudence empowers women with independent financial rights, like men. It grants women the autonomy to manage and dispose of their wealth freely. Their financial transactions are recognized as valid and enforceable, provided the woman is of sound mind, mature, and without legal constraints. Islam has enshrined numerous such rights for women.

In contemporary times, women's issues have surged to the forefront of discourse. Some modern ideological currents have presented distorted perspectives on these matters, leading to increased debates and discussions. There is a palpable desire for a balanced and enlightened religious examination of these issues. Recognizing this need, the General Secretariat of Fatwa Authorities Worldwide curated a book within the Egyptian Encyclopedia of Fatwa Sciences that delves into women's issues from a fatwa standpoint.

This book underscores the fair and equitable stance of the Shari'a towards women, illustrating Islam's reverence for them and its commitment to ensuring they are equal to men in terms of religious duties, rights, and obligations.

Furthermore, the book dedicates a chapter to elucidating women's overarching rights from a fatwa perspective, including rights to life, freedom, education, dignity, spouse selection, equality, property ownership and management, and sustenance.

A chapter is specifically devoted to discussing women's rights from a fatwa perspective, encompassing the rights of mothers, daughters, sisters, fiancées, wives, divorcees, and widows. The book also elaborates on the responsibilities of women in this context, detailing their religious obligations and their roles in marital and societal life.

The book likewise dedicates a special chapter highlighting pressing contemporary issues regarding women from a fatwa viewpoint. Among these issues are women assuming public offices and judicial roles, women in the workforce, women traveling without a male guardian, the etiquette of women wearing perfume in public, the concept of marriage without a guardian and related matters, female circumcision, gender equality in inheritance, issues surrounding domestic violence, and other issues raised at present.

6- Fatwa and the family

Islam calls for building the foundations of a healthy Islamic society through the establishment of the family unit. Islam's objectives of building healthy families include fostering brotherhood through family and marriage bonds, protecting society from immorality and the spread of diseases through illicit relationships, and the spiritual and moral upbringing of children for the benefit of society. Islam seeks promote strong family ties by emphasizing justice, love, and mercy in its system of moral principles. Consequently, the Islamic approach is the path to family stability because it encourages compassion and understanding between spouses, upholds marital rights, and emphasizes shared obligations particularly in maintaining intimacy and raising children.

Regulated fatwas have played an instrumental role in sustaining the Islamic family system. This section of the Encyclopedia outlines Islam's view of the family system along with how fatwa contributes to this vision. The chapters discuss every aspect of the family and the role of fatwa with respect to them. The topics discussed in this section include the role of fatwa in preserving marital health, strengthening parent-child bonds, protection of children's rights in Islam, and more generally, the importance of fatwa in protecting family values and resolving family problems.

Additionally, a special chapter is dedicated to fatwa and family economics, which explores economic aspects of family life, such as household expenses and women's employment outside the home, highlighting the fatwa's role in protecting family economic dynamics. Another section is devoted to fatwas related to the societal aspects of family life, and addresses topics like maintaining kinship bonds, the proper treatment of neighbors, coexistence, and promoting social solidarity. An additional chapter addresses fatwas associated with family development, underscoring the role of fatwas in promoting this growth.

7- Fatwa and cryptocurrencies

In today's world, currency stands as a foundational element. Vital to the operation of the economy, money plays a central role in economic relationships, whether at an individual, national, or international level. Its primary function is to serve as a financial intermediary for local, regional, or global exchanges. The nature of money is constantly evolving, a process significantly influenced by advancements in information technology and communication. This evolution is also shaped by developments in the financial sector, the growth of e-commerce, and the modernization of payment and transfer methods.

Currency is a fundamental component of today's world. Money is essential to the functioning of the economy, is at the heart of all economic interactions and functions as a medium of exchange for individual, governmental, and international financial interactions. The nature of money is always evolving, and developments in information technology and communication have a big impact on this process. This evolution is also influenced by changes in the financial industry, the expansion of e-commerce, and the modernization of transfer and payment methods.

In recent times, there has been an increased attention on "digital currencies" in all of its forms, with cryptocurrencies being the main focus. Despite the cautious approach taken by international organizations and central banks due to the inherent uncertainties in these currencies, attention has been drawn to them, especially given the tremendous trading volumes and values they have acquired.

The dominant discourse surrounding cryptocurrencies in research, journalism, and media has a tendency to focus on their speculative nature, the associated risks, their potential use in cybercrimes, involvement in the dark web, and the adverse environmental impacts of the mining processes that sustain them. However, there is a notable gap in studies that illuminate the transformative potential of these digital currencies. They are not just a financial phenomenon; they are revolutionizing the very concept of money, introducing novel global financial paradigms.

This section delves into the core of encrypted digital currencies, examining their legal frameworks, multiple applications, and their position within Islamic jurisprudence. The discussion emphasizes the potential role of these currencies in energizing trade exchanges, promising broad benefits, especially within the Islamic economic context. The use of digital currencies offers a twofold advantage: they can revolutionize payment systems and assure a secure payment mechanism. Such benefits become even more pronounced when these currencies are aligned with Islamic legal and ethical standards.

Furthermore, this section explores the intertwined economic and scientific concepts pertinent to digital currencies and sheds light on the evolving Islamic legal perspectives on this important issue. The goal is to discern the parallels between traditional Islamic monetary principles and the dynamics of contemporary digital cryptocurrencies in all their diversity.

8- Fatwas in the Context of Third Millennium Challenges

Given the profound responsibility associated with issuing religious edicts and the myriad of modern challenges presented in the third millennium, entities responsible for delivering fatwas, especially juristic councils and fatwa institutions, must possess an in-depth understanding of the current intellectual, moral, social, economic, and political landscapes. Scholars and muftis are increasingly being challenged in multifaceted domains.

The third millennium has ushered in substantial challenges, particularly in:

1- Technological evolution- The rise of technology, the ubiquity of the internet, and the proliferation of social media have exponentially increased access to information, promoting cross-cultural, linguistic, and religious interactions. Scholars and muftis are now tasked with addressing questions and challenges stemming from these technological intersections.

2- Social and cultural paradigms: Islamic societies today face a plethora of social and cultural dilemmas, such as gender equality, individual freedoms, cultural pluralism, access to education, and social justice. Navigating these waters requires informed guidance from our scholars and muftis.

3- Implications of globalization: The ongoing interactions amidst our globalized world can potentially shift the understanding and adherence to Islamic heritage and foundational teachings. It is incumbent upon scholars and muftis to provide clarity in managing these contemporary challenges.

4- Intellectual dynamics: The demand for fatwas spans a vast array of domains, encompassing theology, jurisprudence, ethics, trade, marital norms, penal codes, and judicature, among others.

In our modern era, we have witnessed the spread of fatwas that deviate from moderation. Failing to address these challenges may distance the community from its unique identity and dedication to its faith. Such deviations are evident in extreme fatwas that label entire Muslim societies as non-believers. There are also fatwas advocating for equal inheritance rights between men and women, in contradiction to Quranic teachings that allocate half of a man's share to a woman. Another concerning fatwa permits pork consumption based on the assumption that its initial prohibition was due to pigs' poor dietary habits. Therefore, among the pressing challenges for contemporary fatwas are intellectual issues. When approached correctly, the discourse of fatwas safeguards intellectual integrity, cultural identity, and the foundational tenets of the faith.

5. Economic challenges: Fatwas have a pivotal role in economic development, as they address many matters central to people's daily transactions, from buying and selling to leasing and partnerships. These fatwas play a vital role in the economic regulations within Muslim civilizations. Emphasizing these economic aspects is essential to raise public awareness about the legitimacy of various financial and commercial transactions and to discern the permissible from the forbidden. Historically, fatwas have always sought to cultivate a legal consciousness among merchants and financiers, emphasizing honesty, transparency, and ethical standards in economic activities. Thus, fatwas are instrumental in confronting contemporary economic challenges by embedding these core values across economic sectors.

In our commitment to disseminating the true essence of our religion and guiding the community, the General Secretariat for Fatwa Authorities Worldwide has produced a book detailing the role of fatwa institutions in confronting modern challenges. As part of the Egyptian Encyclopedia for Fatwa Sciences, the book, titled "The Role of Fatwa and the Efforts of Fatwa Institutions in Addressing Contemporary Challenges," showcases the solutions and strategies devised to address these evolving challenges. Esteemed fatwa institutions have consistently shouldered their responsibilities, guiding people on the path of enlightenment and providing comprehensive solutions.

This section elucidates the role of fatwas and the concerted efforts of fatwa institutions in navigating the multifaceted challenges of the third millennium. The book systematically tackles the methods to address these challenges, highlighting the indispensable role of fatwas. It features a dedicated chapter on intellectual and ethical challenges, delving deep into the intellectual and ethical frameworks in Islam and the role of fatwas in their propagation. Additionally, separate chapters focus on the fatwa's role in tackling economic challenges and the emerging challenges in the digital realm. The book also includes a chapter on fatwas (Islamic legal rulings) in the context of digital challenges.

9. Fatwas and new media

Today's global information revolution stands as a pivotal phase in human historical evolution. This revolution has introduced significant changes in the media landscape, reshaping how information is consumed, produced, disseminated, and shared.

Media is therefore divided into:

1- Traditional Media: This comprises newspapers, magazines, radio, and television.

2- New media: This comprises the internet which in turn includes online communication platforms, and smartphone applications.

Owing to the vastness and diversification of contemporary technology, new media platforms have burgeoned and are perpetually evolving. This includes digital journalism, websites, social networks, YouTube channels, digital radio broadcasts, blogs, email groups, and more. Additionally, smartphone applications have emerged that not only broadcast audio-visual content but also relay what is aired on satellite channels and radio, supplementing apps tailored for digital news platforms.

The Egypt's Dar al-Ifta has navigated this technological surge. Their website, now available in nine languages, stands as a testament to this adaptation. Furthermore, their presence on social media platforms, particularly on Facebook, has witnessed an unprecedented growth, with their official page amassing over four million subscribers. This places Egypt's Dar al-Ifta among the leading Islamic pages on a global scale. Additionally, significant strides have been made in engagement and content dissemination on platforms like Twitter and YouTube, sharing both visual and written materials. These efforts aim to promote a balanced perspective, elucidate true religious teachings, and address emerging issues significant to the digital audience. It is imperative that muftis issuing fatwas through these media channels possess the requisite qualifications, comprehensive understanding of religious texts, and the acumen to apply these rulings aptly in real-world contexts.

This section of the Encyclopedia underscores the contributions of fatwa institutions and bodies worldwide. Their endeavors aim to engage a broader audience, thereby fostering a deeper sense of trust and affiliation between the public and their respected moderate institutions.

The book dedicates a chapter to exploring the evolution of fatwas and their intersection with modern media. Another chapter delves into the significant phenomena that have arisen from the propagation of fatwas via new media platforms. Moreover, there is a focused discussion on the fatwa's response to contemporary technological challenges in the digital age.

10- The role of fatwa in advancing sustainable development

Sustainable development has emerged as a pivotal strategy in today's rapidly changing and progressive world. This evolution mandates nations, organizations, civil societies, and individuals to adapt and evolve.

Sustainable development is described as: "A relentless dynamic process originating from an entity that spans across all spectrums. Its aim is to transform social structures, adapt roles, and harness multifaceted potentials. By identifying and steering these potentials, the goal is to effectuate changes in intellectual paradigms and value systems, thereby laying the foundation for a modern state. This transformation is achieved by harnessing collective human efforts to translate scientific development plans into impactful projects that catalyze the desired change."

From this, we can pinpoint three principal dimensions of sustainable development:

1- Growth: Pertaining to the generation of new job opportunities and enhanced production.

2- Change: Entails enriching the foundational environment, fortifying human resources, and facilitating synergies among local sectors.

3- Sustainability: Emphasizes balance, optimal utilization, and conservation of resources while bolstering local capacities in planning, governance, participation, and grassroots support.

The United Nations has outlined 17 sustainable development goals. Attaining these objectives signifies the realization of sustainable development. Introduced on January 1, 2016, these 17 goals became the cornerstone of the 2030 Sustainable Development Plan, ratified by global leaders in a landmark summit in September 2015. Often referred to as "The Global Goals," they encapsulate a universal appeal to eradicate poverty, safeguard the planet, and ensure prosperity and peace for all by 2030.

This section of the Encyclopedia elucidates the instrumental role of meticulously formulated fatwas, dispensed by adept specialists, in the pursuit of sustainable development. This is achieved by aligning fatwa directives with the overarching goals of sustainable development, goals that resonate profoundly with the tenets and universal objectives of the Islamic Shari'ah.

This section delves into sustainable development, detailing its principles, dimensions, and objectives. It highlights the pivotal role of the fatwa in advancing the political goals of sustainable development, emphasizing its contribution to global peace, security, and justice.

Additionally, this section underscores the fatwa's role in bolstering human collaboration and integration, and its significance in establishing resilient institutions. It further elaborates on the fatwa's role in achieving the economic, social, cultural, and environmental milestones of sustainable development.

11- Fatwa and climate change:

Today, climate change stands as one of the most immediate and formidable challenges we confront. This menace makes no distinctions based on gender, religion, or race, posing a threat to humanity as a whole. It evokes deep-seated concerns about our future on this planet. Every day, we witness the extensive damage and losses spawned by this phenomenon, with projections indicating an escalation in its impacts in upcoming years.

The only viable strategy to mitigate this looming threat and curb its ramifications is global unity around this shared objective, coupled with strengthened collective cooperation. In every human-centric crisis, fatwas — integral elements of religious discourse with profound influence on human life — continue to play a significant role. This highlights the intricate and indispensable connection of fatwa discourse across varied human situations. Notably:

- A fatwa, by its very nature, embodies two primary facets: one rooted in religious texts and heritage, and the other in the evolving realities of life. Climate change, as a tangible shift, brings about fatwa implications that resonate with these realities.

In 2022, Egypt hosted the climate conference, prompting its leading institutions to share their insights and proactively engage in this historic event. In this context, both the General Secretariat for Fatwa Authorities Worldwide and the Egypt's Dar al-Ifta stand in solidarity with Egypt, championing the collective welfare of humanity.

Consequently, the General Secretariat for Fatwa Authorities Worldwide has dedicated itself to ensuring that fatwas serve as tools for addressing challenges on both domestic and international fronts. Given the global magnitude of these issues, it recognizes the imperative of engaging proactively. Beyond its immediate role in addressing environmental concerns and upholding the environmental tenets of the Shari'ah, the fatwa also asserts the foundational truth: we are all kin on this earth, bound by shared interests and unified goals. Working in harmony and pooling our strengths are pivotal in navigating every human predicament, with the climate crisis at the forefront.

The General Secretariat of Fatwa Authorities Worldwide has chosen to dedicate a book within the "Egyptian Encyclopedia of Fatwa Sciences" to discussing climate change. This book delves into the principles and foundations of fatwas relating to climate change and the strategies developed to address these changes.

12- Fatwas in response to epidemics and disasters

The noble Shari'ah permits the application of principles offering leniency and relief during natural disasters, such as floods and storms, as well as during epidemic outbreaks and infectious diseases. Indeed, implementing such measures can become imperative when mandated by competent authorities. Prophet Muhammad (peace and blessings be upon him) set forth principles of quarantine, emphasizing the need for preventive measures during epidemics. Regarding the plague, he advised, "If you hear of it in a land, do not enter it; and if it occurs in a place while you are present, do not leave trying to escape it."

This guidance includes preventive actions such as avoiding harmful elements, staying distanced where possible, using medications and vaccines, and refraining from close contact with infected individuals. All of these measures should be taken while surrendering to God's will and accepting His decree.

Epidemics and natural disasters are valid reasons in Islamic teachings that allow believers to forego attending congregations like the Friday prayers in mosques. Instead, they are advised to remain in their homes or current locations as a safety precaution. This is especially stressed for vulnerable groups like the elderly and children.

Furthermore, Islamic teachings strictly prohibit individuals infected or suspected of having an infectious disease from being in public spaces and using public transportation. They are also discouraged from attending congregational prayers. This is grounded in the maxim of preventing harm. Adherence to health guidelines issued by health authorities and related institutions is not just a civic duty but also a religious obligation. Islamic teachings empower governing bodies and specialized entities to oversee the welfare of the populace in their best interest.

This section of the guide illustrates Islam's approach to disasters and epidemics, clarifies the methodology for issuing fatwas under such exceptional conditions, and details the responsibilities of fatwa scholars in these times, emphasizing public safety and community well-being.

The Science of Fatwa Making

The Methodology of Issuing Fatwas in Relation to Novel Issues

In Muslim legal parlance, a nazila (pl. nawazil) is often associated with exigent unprecedented issues that demand legal rulings. This definition, as its lexical meaning suggests, refers to those issues, whether religious, social, political, or economic, that create feelings of unease and worry and so drive individuals to consult Islamic legal experts (muftis) for advice (fatwas).

The main difference between a nazilah and a fatwa or an occurrence is that the former refers to a pressing issue or situation that demands an Islamic legal ruling. In contrast, a fatwa implies every issue, whether or not there is a prior juridical opinion to serve as precedent. In addition, a novel occurrence may or may not necessarily require a legal ruling. In other words, it may not necessarily be an exigent issue.

Finding solutions to particular issues through the medium of ijtihad acquires immense importance in our current time as this serves to demonstrate the validity of Islamic law to every time and place. Ijtihad furthermore draws attention to the danger of novelties that are antithetical to Islamic law and inconsistent with its objectives but nevertheless affect the overwhelming majority of the people. The importance of generating Islamic legal rulings on novel issues cannot be overemphasized because it is necessary that all human action must be oriented to Islamic law.

Novel Issues and the Four Elements that Generate a Change in Fatwa

Fatwa rulings are influenced by temporal, locational, individual, and circumstantial considerations. Scholars give expression to this principle by the maxim, "There is no doubt that rulings change due to changing times." This maxim is a derivative of one of the five leading normative maxims of Islamic law, namely, "Custom constitutes the basis for rulings".

A change in fatwa is mainly occasioned by custom-based rulings. Consequently, if a prevalent social practice changes, the ruling for a fatwa that has been based on that particular practice will likewise change to accommodate the new social practice or custom. As times change, so do social customs and the needs of the people thereby prompting a change in fatwa.

This does not necessarily mean that all Islamic legal rulings are subject to change, whatever the stimulus. Islamic legal rulings that are constant and not subject to change include the obligation of performing the five pillars of Islam such as the five daily prayers, fasting in the month of Ramadan etc.

Such rulings are permanent and immune from any temporal changes. Other rulings are amenable to fluctuations of time, place, and conditions and circumstances. Examples of such rulings include the nature and kinds of discretionary punishments which Islamic law entitle the ruler or his deputy to change to the extent they deem in the interest of society.

Four Elements that Generate a Change in Fatwa

1- Time

A change in time refers to the changing needs, conditions and circumstances, and customs of the people that change from one temporal context to another and which consequently require a corresponding change in fatwa.

A case in point is corruption and impiety that trigger a change in rulings. Before the rule of the third caliph Uthman Ibn Affan (may God be pleased with him), stray camels were left to roam about without the danger of being appropriated by anyone. However, when Uthman became caliph, he commanded that anyone who finds a stray camel is to announce having found it. If the owner failed to claim it, the finder may sell it and keep its price for its owner. Although this ruling seems to contravene the teachings of the Prophet (peace and blessings be upon him), it was necessary for Uthman to issue a different ruling to combat declining moral values that had become prevalent at his time. To give another example, when Uthman noticed that deathbed divorces to exclude wives from inheritance were on the rise during his time as caliph, he issued a ruling in favor of Tomader al-Asadiyyah when her husband, Abdul Rahman, divorced her during his death illness.

2- Place

A change in place that occasions a change in fatwa refers to whether one is living in a Muslim or a non-Muslim country.

Scholars have formulated rulings whose implementation is contingent on whether a person is living in a Muslim or a non-Muslim country. The books of jurisprudence are replete with examples of such cases and their associated rulings; these include cases involving retaliation, blood money, expiations, inheritance, bequests, marriage, invalid contracts, etc.

3- Customs and changing practices

Changes in customs refers to the customary differences that exist in different countries. Therefore, when a fatwa is based on a social practice of a particular place, the ruling needs to be adjusted in accordance with the prevailing custom and social practice of the place where the inquirer resides.

Accordingly, a mufti is to align his fatwa with the prevailing geographical customs and social practices, by taking into consideration any customary changes or even their renunciation.

4- Circumstances

A change in conditions and circumstances refer to changes in the circumstances, conditions, and the needs of the people whether the change effects individuals or particular communities such as individuals of the same pursuits, profession, etc.

The variables that arise out of conditions and circumstances generate a difference in rulings. A case in point is the question posed to the Prophet (peace and blessings be upon him) by both an old and a young man. Abdullah Ibn Amr Ibn al-As (may God be pleased with him) narrated that once when the Companions were with the Prophet (peace and blessings be upon him), he was approached by a young man who asked, "O Messenger of God! Is it permissible for me to kiss [my wife] while I am fasting?" The Prophet replied, "No." Then an old man approached the Prophet (peace and blessings be upon him) with the same question, but this time the Prophet permitted the old man to kiss his wife while fasting. Sensing the Companion's astonishment, the Prophet (peace and blessings be upon him) said, "The old man can control [his desires]."

Conforming to and Foregoing the Legal Precedents of the Four Schools of Jurisprudence

In technical parlance, conforming or imitating a legal precedent from a qualified scholar without questioning his textual evidence or juridical reasoning is known as taqlid.

Mujtahids act on behalf of the entire Muslim community in inferring practical legal rulings arrived at through the process of ijtihad. Accordingly, a person who is not qualified to exercise his judgment in the inference of legal rulings from their sources must imitate or conform to the rulings extracted by mujtahids from the four followed schools of jurisprudence.

Two cases apply to following the legal precedent or opinion of a scholar adhering to a school other than the four followed schools of jurisprudence.

1. The first case involves the muqallid foregoing the four followed juridical schools and espousing an opinion that is extraneous to any of the mujtahids of these schools; scholars unanimously agree upon its impermissibility.

2. The second case involves foregoing the four followed juridical schools and espousing the opinion of a mujtahid not affiliated to any of them. The preponderant opinion concerning this case is its permissibility though with certain conditions stipulated by scholars.

Qiyas and Takhrij

Ifta` makes constant recourse to qiyas and takhrij in cases for which there is no legal precedent, mainly due to the fact that new cases can rarely be resolved by recourse to the primary sources.

1- Qiyas

Qiyas or analogical reasoning is the extension of the legal ruling of an original case to a new one for which there is no precedent; the analogy is made on the basis of a common effective cause present in the two cases.

There is no contention between scholars on the validity of qiyas as proof in matters of mundane concern such as foodstuff and medications.

The majority of leading scholars from among the Companions, Tabi'in, the majority of jurists, and theologians are in agreement on the validity of qiyas as a source of law in the absence of clear textual evidence or ijma' (scholarly consensus).

2- Takhrij

Takhrij is defined as the construction of a legal ruling by a non-mujtahid from a particular text of his imam and extending it to a similar case. It also means constructing a new ruling based on the methodology and principles enunciated by the school's founding imam.

Takhrij or the construction of new rulings based on the authority of a particular founding imam has become a necessity in the absence of absolute mujtahids. Takhrij in this sense shares a common feature with qiyas, namely the extension of a ruling for an original case regulated by a given text to a new one whose ruling is not mentioned in any text. There is, however, a difference between qiyas and takhrij. While in the former, the original case involves direct extrapolation from the Qur'an or Sunnah, takhrij involves extrapolation from a particular text of a mujtahid imam or basing the ruling on his methodology and principles.

Principles Related to Khilaf

There are matters on which Islamic law is silent. The absence of texts on such matters is one of the sources of contention between scholars.

Scholars are in agreement on the validity of providing capacious ground for scholarly contention on matters pertaining to the branches of law, the furu'. In support of this, they argue that it is not necessary for all of the universal community of Muslims to follow the same opinion on a particular matter classified under the branches of jurisprudence. This being so, individuals who find themselves constrained or falling into hardship by following a particular juridical opinion, are at liberty to follow another.

Conditions for valid scholarly differences or khilaf

1. There should be strong grounds for khilaf i.e. the dissenting opinions must be based on strong proofs otherwise, they bear no weight. Opinions based on proofs on which there is a difference of opinion concerning their authenticity are not tolerated or deemed legitimate except if the proof itself is of the category that admits khilaf over its validity, an example being non-mass transmitted Sunnah.

2. The scholars maintaining variant opinions should be both qualified and acknowledged.

3. The dissenting view must not diverge from the body of existing opinions on a particular issue i.e. it should not give rise to a new opinion.

It is possible to divide khilaf into two categories:

1- The first kind of khilaf is that which is supported by valid proofs and the features of ijtihad such the primary texts, qiyas, istihsan, etc.

2- The second kind is based on weak grounds or proofs of and those which deviate from the principles of ijtihad.

Operating or Omitting to Operate on the Basis of Proof

The primary sources of Islamic law, the Qur'an and Sunnah of the Prophet (peace and blessings be upon him), are the principal and most authoritative sources from which all others (the secondary sources) such as ijma', qiyas, istihsan, masalih mursalah, etc. branch.

It is impermissible to resort to the secondary sources of Islamic law when the rulings can be found in one or both of the primary sources.

Ifta` follows this firmly established methodology with regard to the order of precedence of the legal sources. However, there may be instances where a mufti comes across a case that requires him to forgo the stronger proof for the weaker. This is mainly because ifta` is a complex process that involves rule (the word of God) derivation, an awareness of the reality associated with the ruling, and the application of the ruling to the specific case in question. And since the lived reality of the people is dynamic, scholars have maintained that a fatwa changes in accordance with shifting realities. In addition, myriad unprecedented matters are constantly generated by our ever-evolving times, necessitating the formulation of new rulings. The Prophet's command to waive the theft penalty (amputation of hands) at wartime even though this is a divinely prescribed penalty is a case in point.

Maslahah

The primary objective of Islamic law is to achieve the maslahah (interests) of the people in this world and in the hereafter.

It is not an easy task to formulate legal opinions on the grounds of maslahah. This often leads to khilaf over some cases, a matter that reflects the extent of the need for expounding the criteria governing maslahah. But first it is necessary to define maslahah.

Maslahah consists of the considerations by which Islamic law seeks to secure the benefits or interests of the people with regard to their religion, life, intellect, progeny, and property. In light of this definition, any measure that secures the preservation of the above five values falls within the scope of maslahah while anything that undermines them is a mafsadah (evil) and the prevention of the latter is itself a maslahah.

Islamic legal theorists have classified maslahah subject to certain considerations; those that are of concern to this paper are as follows:

1. The first consideration is further divided according to strength of precedence, namely:

   i- Maslahah daruriyyah (essential interest): This kind of maslahah is essential for securing the spiritual and material interests of the people.

   ii- Maslahah hajiyyah (need-related interest): This category comprises interests that fulfill the needs of the people and whose neglect leads to difficulty and hardship. Examples include the legal concessions granted to the sick and travelers that allow them to refrain from observing the obligatory fast and to shorten prayers with the aim of preventing hardship, the permissibility of enjoying lawful victuals, hunting, clothing, and accommodations.

   iii- Maslahah tahsiniyyah (embellishments):

This kind of maslahah functions to realize the enhancement and attainment of those things that are desirable such as moral virtues, personal cleanliness, supererogatory acts of worship, food etiquette, and avoiding extravagance in food and dress.

2. The second consideration is divided into:

i- Maslahah mu'tabrah (accredited interest): This comprises those interests that Islamic law upholds and for which there is textual proof (from the primary sources) or ijma'. The preservation of the intellect by the prohibition of alcohol and the protection of life by enacting the law of qisas (retaliation) are just two examples that fall within the scope of maslahah mu'tabrah.

ii- Maslahah mulghah (discredited interest): This category consists of those interests nullified by Islamic law based on textual evidence or ijma'. Examples include giving the son and daughter an equal share in inheritance based on the sibling relationship between them. However, this interest is nullified by the Qur'anic verse which assigns to the son double the share of the daughter.

iii- Maslahah maskut 'anha (undeclared interest): This category of interests comprises those which are neither validated nor nullified by Islamic law. Interests that fall within the scope of this category, called maslahah mursalah, are consistent with the objectives of Islamic law by securing benefits and preventing harm.

Criteria governing al-maslahah al-mursalah

1. The interest must be harmonious with the objectives of Islamic law including the daruriyyat, or necessities hajiyyat, or needs and tahsiniyyat or luxuries.
2. It must not violate a primary source text, ijma', (consensus)or valid qiyas (analogy)
3. It must be operative outside the scope of devotional matters.
4. It must not conflict with an interest of greater strength or weight.

Sadd al-Dhara`i (Blocking the Means)

Technically, the term dhara`i refers to the means which appear to be permissible and lead to prohibited outcomes. From this perspective, sadd al-dhara`i can be described as preventing an evil or prohibited outcome that is likely to occur if the means towards it is not precluded.

Scholars are in disagreement over the proof value of sadd al-dhara`i. The doctrine's most prominent proponents are scholars from the Maliki and Hanbali schools of jurisprudence.

There is no scholarly contention over the imperative to comply with textual indications prohibiting certain actions that may lead to evil results. For instance, the Qur'anic verse forbidding Muslims from insulting polytheists' deities takes into account the likely reciprocal effect of such an action, namely insulting God Almighty. Another example is the prohibition of observing prayers at specific times.

Ihtiyat

Ihtiyat means exercising precaution with the intent of avoiding doubtful matters to protect oneself from committing a disliked or prohibited action or avoiding the omission of an action that may be obligatory or recommended, while taking into consideration the objectives of Islamic law.

Ihtiyat is classified into ihtiyat wajib (obligatory), mandub (recommended), and madhmum (detested).

Ihtiyat wajib

Ihtiyat wajib is divided into the following:

a- Exercising precaution to procure an obligatory action. For instance, a person may forget to pray one of the five prescribed prayers and may not remember which one he has omitted. In such a case, he is to perform the five prayers since this precautionary measure will meet the requirement of making up the obligatory missed prayer.

There may be instances when the means may lead a good or an evil outcome in which case it is necessary to give precedence to the good. This principle, however, is not unequivocal but is contingent on whether the required benefit outweighs the evil of the prohibited action. This is borne out by the permissibility of eating carrion in the existence of an overwhelming necessity, notwithstanding the prohibition of eating carrion. The premise of this permissibility is based on the obligation to preserve life.

It is likewise necessary to exercise precaution against the evil that ensues from the commission of a prohibited action. For instance a man who wishes to marry one of two women, one of who is his sister-through-nursing, is to avoid marriage to either of them if he cannot ascertain which one is his sister.

b- Exercising precaution on basis of the inherent obligation or prohibition. The examples include the rejection of the testimony of a single witness in the sighting of the new moon of the month of Shawwal and the obligation to fast the day after the 29th of Ramadan if the sky is too overcast for the new moon to be seen.

2- Ihtiyat mandub

a- Exercising precaution to secure a recommended benefit. An example is the recommendation maintained by Hanafi scholars to perform ablution after coming in physical contact with a woman. The aim of exercising precaution in such an instance is to remove the mukallaf (legally accountable person) from the obligation of those scholars who obligate it.

b- Exercising precaution against the evil ensuing from a detested action. Examples include those matters which are detested but not strictly forbidden (one is rewarded from avoiding them and not punished for doing them). A case in point is the issue of praying in the resting places of camels. The Hanafis, Malikis, and Shafi'is all maintain that this falls under detested matters due to the harm that may ensue.

3- Ihtiyat manhi 'anhu

Sometimes the exercise of precaution is disliked if it leads to the commission of a disliked action. An example is having doubts during the course of ablution on whether one has washed a particular body part three or four times. In such a case, it is disliked to exercise precaution since it is impermissible to wash a body part four times in ablution.

In other instances, the exercise of precaution is not only disliked, but considered offensive such as when one acts on the basis of the doctrine of sadd al-dhara`i without taking into account the regulating criteria set by scholars. Another example of offensive precaution is deliberately subjecting oneself to hardship and difficulty for God Almighty says in the Qur'an, "God intends for you ease and does not intend for you hardship" (1: 185).

General provisions on ihtiyat

1. It must not lead to hardship or difficulty.
2. It must achieve a benefit upheld by Islamic law.
3. It must not lead to the performance of an action forbidden by Islamic law.
4. The doubt or uncertainty that leads one to adopt a precautionary approach must be one that is upheld by Islamic law.

Tayseer

The principle of tayseer (facilitation) is executed in a general manner in Islamic law and in a specific manner in the domain of ifta`. It is meant to check rigorousness and forcing people to follow ihtiyat and the strictest course in every novel case. Though some scholars have condemned tayseer in ifta`, furnishing grounds for the rejection of this principle, other scholars find it commendable since it affords the people with ease and facilitation as well as with a legal outlet for issues that would otherwise impose difficulties upon the them.

Tayseer may be defined as the enactment of rulings that take into account the needs of the people and their ability to obey the prescriptive and proscriptive injunctions while conforming to the fundamental principles of Islamic law.

The role of a mufti is to expound the legal ruling for one who inquires about it. A mufti may be approached about an issue for which there is a precedent in the juridical corpus or even more than one scholarly opinion. Alternatively, he may be approached about unprecedented issues that require new ijtihad. In both cases, he must exert his utmost endeavor to arrive at the ruling that best suits the case in question whether through the preponderance of scholarly opinions, recourse to the revealed texts and proofs, or by drawing upon the legal opinions and principles established by mujtahids and juridical schools. He must all the while bear in mind the objectives of Islamic law with respect to the obligations that secure the welfare of the people and rectify their affairs without imposing hardship upon them. In Islam, obligations are tied to ease and latitude.

Examples of tayseer include:

- Matters that are deemed permissible because they cannot be avoided.
- Matters that are considered permissible because they fall under 'umum al-balwa (matters that affect the general public as a whole and which cannot be dispensed with or avoided except with overwhelming difficulty).
- Legal concessions.

There is ample evidence in Islamic legal texts demonstrating that tayseer in fatwa is an objective of Islamic law and scholars have even maintained that it is one of the principles of ifta`. However, laxity, failure to thoroughly research and give due consideration to the case in question to arrive at the correct ruling, is strictly impermissible.

Legal concessions in the event of affliction

1- 'Umum al-balwa

Both general and private afflictions constitute grounds for the employment of the principles of tayseer and legal concessions since both remove rulings from the sphere of 'azima (the original binding force of a ruling) to that of concessions (the mitigation of the ruling and its replacement with more lenient alternatives in cases of hardship). A concession therefore mitigates obligations.

‘Umum al-balwa refers to widespread unavoidable matters that affect the majority or a particular category of the public, necessitating the operation of the doctrine of tayseer to alleviate the resulting overwhelming difficulty.

An example of matters that cannot be avoided due to overwhelming need is sleep. There is no denying that all people without exception need to sleep since it is a fundamental human given and therefore cannot be entirely dispensed with. Although Islamic law proscribes anything that numbs the brain and inhibits consciousness such as drugs and alcohol, it acknowledges human need for sleep even though it causes the suspension of consciousness, missed prayers, etc. However, because sleep deprivation is detrimental, sleep is permissible which is not so the case with other means of consciousness suppressors.

The negligent amount of blood left within the carcass of a ritually slaughtered animal is another example of ‘umum al-balwa. Unlike the blood that flows from the animal after its slaughter, considered impure by unanimous scholarly consent, it is not necessary to wash any residual blood in the meat either before or after cooking since residual blood is unavoidable and meat is a necessary component in many people’s diet.

Regulating criteria for ‘umum al-balwa

i- It must affect the majority (not a minority or few individuals) or the majority of a group such as the inhabitants of a certain area, the practitioners of particular professions or crafts etc.

ii- It must be widespread and recurrent.

iii- It must be unavoidable.

iv- Complying with the original ruling for such matters causes overwhelming difficulty and hardship.

2- Khusus al-balwa

Khusus al-balwa refers to an overwhelming difficulty caused by mitigating circumstances affecting a particular individual. Khusus al-balwa therefore necessitates issuing rulings based on the principle of tayseer for a particular unavoidable recurring matter affecting a particular individual such that were he/she abstain from it, they would suffer notable difficulties. For instance, it is difficult for people suffering from urinary incontinence to repeat ablution every time they leak urine. Loss of bladder control therefore creates a pressing need for special fatwas depending on the range of severity experienced by each individual sufferer.

Regulating criteria for khusus al-balwa

i- The mitigating circumstances must not affect the majority of the people or the majority of a particular group but individual persons. This requires the mufti to inquire into and explore each issue separately.

ii- The circumstances must be beyond the individual's control or difficult to avoid due to a pressing need.

3- Following the opinion of a scholar who permits a certain matter over which there is a scholarly disagreement

Scholars have established an extremely important principle that states "Whoever is afflicted with something controversial (over which there is a difference of scholarly opinion) may follow the opinion of those who permit it". It is important that every jurist and mufti bear this in mind because it eliminates hardship and affords ease and facilitation to the people in their affairs. Moreover, it is better for a person to perform something for which there is a permissible basis than to have them perform something prohibited.

It is important at this point to emphasize that it is not necessary for the layman who follows a particular imam to follow him on all legal questions. Some scholars have maintained the permissibility of following the legal position of one juridical school on one legal question and a different one on another. This, however, is contingent on three conditions:

- It is impermissible to merge the opinion of two different juridical schools if none of the schools would consider the act valid such as one who conducts a marriage contract without a bridal dowry, the presence of the bride's guardian, or witnesses.
- A person is to follow an imam whom he believes to be virtuous or one whose good reputation has reached him by hearsay.
- A person must not pursue legal concessions granted by the various juridical schools.

Issuing Fatwas on the Basis of Weak Opinions

A mufti who has not reached the level of an absolute mujtahid must study and weigh the different scholarly opinions to reach the most suitable solution to the case before him.

Issuing a fatwa on the premise of a weak opinion means forgoing the strongest opinion for one discredited by early scholars due to the existence of a necessity born out of one or more of the four elements that impact fatwa. There are three opinions on this issue:

- It is impermissible to adopt or act upon a discredited opinion in spite of the existence of a compelling need.
- It is permissible for a mufti to take recourse to a discredited opinion for his own personal information but not as a basis for a fatwa.
- It is permissible for a mufti to base his fatwa on a weak opinion when necessity calls for it though with certain stipulated conditions. This is the opinion of the majority of scholars.
- The dominant opinion is that it is permissible to act upon discredited opinions when the following conditions are met:
- The opinion adopted for fatwa must not conflict with explicit textual evidence from the Qur'an and Sunnah.
- The implemented opinion must be attributable to the scholar who formed it through valid means.
- Recourse to a weak opinion must be for a necessity or one that reaches the degree of essential, complementary, or ameliorative interests.
- The weak opinion must be issued for the particular case in question and not for general application.
- The scholar basing his fatwa on a weak opinion must have the ability to assess essential and complementary interests which must be the motivating factors for him.

Pursuing legal concessions

Scholars describe the pursuance of legal concessions of the juridical schools as choosing the opinion that best suits the interests of the mukallaf on every point of law and choosing an opinion from different juridical schools on the same question depending on his circumstances.

Islamic law not only sanctions, but enjoins the pursuance of legal concessions but only if the objective is to afford ease and facilitation without undermining legal obligations by omitting them in part or in full.

Example of seeking out the easiest scholarly concessions with the purpose of providing ease and facilitation

Scholars have differed on the ruling for the sequence of stoning on the days of tashriq as follows:

1. Maliki, Shafi'i, and Hanbali scholars have maintained the necessity of stoning the three stoning sites in their proper sequence i.e. Jamarat al-Sughra followed by Jamarat al-Wusta and finally Jamarat al-Kubra. Any mistake in the sequence of stoning would require the pilgrim to repeat the stoning in the proper sequence.

2. Hanafi scholars are of the view that the sequence of stoning the three sites is merely recommended.

When it comes to matters related to pilgrimage, a mufti may rely in his fatwa on the opinion of the Hanafi school that takes into account the congestion of pilgrims, especially if the inquirer is a woman, an elderly man, an ill person, or a traveler in a hurry. This is a clear example of choosing the easiest scholarly position for reasons of facilitation without omitting any obligatory aspect.

Talfiq

Talfiq means the act of piecing together by a muqallid constituent parts from the various juridical schools on a particular topic and synthesizing them into a single law in a manner none of the schools would consider valid.

Talfiq in terms of the existence or non-existence of objective is divided into two categories:

1- Purpose-made talfiq. This includes examining the opinions embodied in the various juridical schools and deliberately synthesizing elements from them into a single legislation.

2- Unintentional talfiq. This kind of talfiq occurs inadvertently as a result of fatwa solicitors consulting more than one mufti from different juridical schools.

Talfiq is also divided in terms of its composition as follows:

1. Combining two different rulings on a single point of law. An example is someone who follows the Shafi'i position on the validity of ablution despite the exit of a najis substance from other than the private parts and following the Hanafi position on the non-nullification of ablution by touching a woman. This amounts to a composite of two different rulings on a single issue (the validity of ablution).

2. Combining more than one ruling on more than one act of worship. An example is someone who performs an ablution that is considered minimally valid by the Shafi'i school by wetting only a few hairs of the head and at the same time following the Hanafi opinion on the validity of praying without tama`nina (reposing or remaining motionless for a few moments between prayer positions). Ablution in such a manner is invalid in the Hanafi school that stipulates wiping at least one quarter of the head while the performance of prayer without making tama`nina is inadequate in the Shafi'i school.

Talfiq is further divided on the basis of its time of occurrence.

1. Proactive talfiq. This refers to making talfiq before the performance of an action.

2. Retroactive talfiq. This refers to making the intention to have followed a particular school after one has finished the action with the intention of rectifying an unintentional mistake.

The policy of talfiq did not find acceptance among the majority of the jurists of the latter period of Islamic jurisprudence while others of the same period are in favor of its permissibility but subject to certain conditions.

The permissibility of talfiq is the weightier opinion for the following reasons:

1. Islamic law sanctions talqid to mitigate hardship to legally accountable individuals. And since scholars acknowledge that different scholarly opinions are a mercy for the people, a muqallid is not duty-bound to follow a particular juridical school on all points of law.

2. It is permissible for a mufti who is a muqallid to issue a ruling based on a scholarly position that is extraneous to the juridical school he follows in view of temporal and societal developments, and on the measure of benefits against harms on the basis of temporal, locational, individual, and circumstantial differences.

3. Nothing has been reported from the Prophet's Companions or their successors, despite the multiplicity of the existent scholarly positions and the differences between them, on the obligation of following a particular juridical school [on all legal questions]. If talfiq were prohibited, they would not have neglected to caution against it.

4. An opinion stating the impermissibility of talfiq would inevitably render the actions of the people invalid. This is because it is rare to find the layman following a particular school in all of his actions, whether devotional or transactional.

5. The opinion maintaining the impermissibility of talfiq is inconsistent with the facility and inclusivity of Islamic law. For instance, new aspects or ramifications of a certain issue may emerge and therefore it is unwarranted to confine the people to the legal determinations of past generations. The optimal course of action for a non-mujtahid mufti would be to draw upon opinions from more than one juridical school in a manner that makes his fatwa consistent with the objectives and nature of Islamic law.

Conditions for the permissibility of talfiq

Conditions without which talfiq is rendered invalid include:

1. It is necessary that there be an overwhelming need to integrate measures and opinions from more than one juridical school instead of relying on a single one.
2. It is necessary that talfiq does not give rise to a ruling that violates ijma' or definitive textual evidence.
3. It is necessary that talfiq does not result in a ruling inconsistent with the nature and objectives of Islamic law.
4. It is necessary that talfiq does not overrule a judicial ruling.

Taghyeer al-Maslak, Changing the Course of Action

The primary role of the jurist lies in ensuring the soundness and validity of the people's actions. However, it often happens that he may sometimes be confronted with a case for which the sound ruling may be incompatible with the relevant objectives of Islamic law. In such an event, he may advise the inquirer to follow the scholarly opinion that best achieves his spiritual and material interests and welfare. The following scenario serves as an example to help clarify the point. A man may marry a woman without the presence of her legal guardian or with the presence of corrupt witnesses and then divorce her through a triple divorce. In such a case, the mufti may opine that separation between the couple will result in great harm.

Hanafi scholars are of the view that such a marriage (without the wife's legal guardian and in the presence of corrupt witnesses) is valid while Shafi'i scholars hold otherwise. The mufti may therefore advise the inquirer to follow the Shafi'i school on this particular case by determining the mentioned divorce as ill suited and consequently, the couple must conduct a new marriage contract that meets all of the integrals necessary in the Shafi'i school. This contract will maintain intact all three instances of divorce that come with the new contract without taking into account any of the previous divorces. This course of action is called taghyeer al-maslak.

The Science of Fatwa Making

Criteria of Facilitation and Ease in Following Fatwas

One of the higher objectives of Islamic law is bringing about facilitation and removing of hardship. This concept of tayseer as it is known in Arabic characterizes the methodology of Islamic law pursuant to the words of God Almighty Who says, "God wants for you ease and He does not want hardship for you" (Qur'an 2: 185).

For the benefit of the Mufti, we shall analyze the texts and evidences that provide the basis for the application of tayseer in fatwa issuance.

Tayseer

Muslims are required to know the legal rulings for all the situations they encounter in their daily lives. Consequently, they turn to muftis for advice as per the words of God the Almighty, "So ask the people of knowledge if you know not" (Qur'an 16: 43). Muftis specialize in dictating the rules of God from primary texts, the Qur'an and Sunnah, as well as from the other sources of law through the process of istinbat (deducting rulings from textual evidences).

The first person to hold this office was Prophet Muhammad (peace and blessings be upon him) and after he passed away, his Companions undertook the same task. The office of ifta` has since continued to grow with the objective of promoting and advancing both the spiritual and material life of the people through the implementation of the universal objectives of Islamic law mainly the preservation of life, intellect, religion, property, and progeny.

Facilitation and ease were always the Prophet's preferred course of action. 'Aisha narrated that whenever the Prophet (peace and blessings be upon him) was given a choice between two things, both of which were lawful, he would always choose the easier one. Prophet Muhammad also sought to extend this understanding to the entire community of Muslims. When he sent Mu'adh Ibn Jabal and Abu Musa al-Ash'ari to Yemen he advised them to facilitate [religious] matters for the people and refrain from making things difficult upon them. On another occasion, he said, "Religion is easy and no one overburdens himself in religion except that he will be unable to continue in that way. Therefore, be not extremists …" (Bukhari and Muslim).

Facilitation is an important aspect of religion and an indispensable ingredient of sound ifta` skills.

We are going to tackle the necessity of adopting facilitation in our understanding of religion in general and in its application to contemporary ifta` in particular. The paper also aims to provide a clear understanding of the facility of Islamic law, the ease it provides for dealing with new circumstances, challenges, and contemporary issues, and its capacity for constant renewal and accommodation of emerging new issues.

Subsequent changes in a fatwa are most likely to involve preference for that which better secures the higher objectives (maqasid) of Isamic law. This also underlines a distinctive feature of the difference between the Islamic law and jurisprudence. The former sets the higher goals and purposes, whereas fiqh devises ways and means to secure them. Fatwa and ijtihad are the means by which fiqh secures the higher purposes of Islamic law.

The rules of conflict and preference (al-ta'arud wa'l-tarjih) as they relate to fatwa have been expounded in several legal maxims. The basic premise on which these rules proceed is that benefits and harm are mostly relative and contingent (nisbi, idafi) concepts, and that pure benefits and pure harms are rare.

The prominent Shafi'i jurist, 'Izz al-Din 'Abd al-Salam al-Sulami, who was given the appellation Sultan al-'ulama', underlined this by saying that real life situations tend to be mixed. In his own opinion, when there is a conflict between two benefits (maslahatayn) and both cannot be obtained, or when a similar conflict exists between two harms and both of them cannot be avoided, or when a conflict is encountered between securing a benefit and preventing a harm, priority is to be attached to that which is greater and graver, even if it means loss of a minor benefit or toleration of a lesser harm. Al-Sulami continued: 'In the event of a combination of benefit and harm, if obtaining the former and preventing the latter is possible, this is should be done, as per the guidelines of the Qur'an.' If this is not possible, however, and if the harm is greater than the benefit, preventing the harm is given priority and the loss of the benefit is tolerated. But, if the benefit in question is greater than the harm one is trying to avoid, the benefit should be secured and the harm tolerated. It is further added that the public interest takes priority over the private interest, and that the public interest is elevated to the rank of necessity and given priority over that which is a private necessity.

Application of Tayseer

The principle of Tayseer is applied in a general manner in Islamic law and in a specific manner in the field of ifta`. It occurs to challenge the notion of rigorousness and compelling the public to follow ihtiyat (religious precaution) by following the more difficult course in every new issue for which scholars have different designations and consequently different rulings. It was reported that some scholars repudiated tayseer in fatwa and some took this as a pretext to reject the principle altogether.

Difference between tasahul and tayseer

There is a significant difference between tasahul (laxity and indulgence) and tayseer. However, while scholars disapprove of tasahul in fatwa, it was reported that they approve of tayseer with the objective of seeking legal outlets for matters that may prove difficult for people and which may amend their circumstances. For instance, it was reported that the Prophet (peace and blessings be upon him) once reprimanded Mu'adh Ibn Jabal for prolonging prayers thereby placing difficulty upon the people. On another occasion, the Prophet (peace and blessings be upon him) spoke with anger to another person who was leading the people in prayer and told him, "Some of you make people dislike doing good deeds. So whoever among you leads people in prayer is to shorten it because among them are the weak, the old, and ones who have businesses to attend to."

The core difference between tasahul and tayseer is clear. Tasahul is not only the product of confused and deficient research, but also of manipulation and carelessness. Conversely, tayseer emerges from solid knowledge, cognizance of the people's conditions and their needs and realities, and a knowledge of the objectives of legislations and considering them principal elements in fatwa. Tayseer is a scholarly methodology that has been scrutinized and meticulously codified by Islamic legal scholars and leading jurists.

Imam An-Nawawi said, "It is prohibited to espouse tasahul in fatwa. It is unlawful to solicit a fatwa from a person who is known by this attribute. Tasahul is to be hasty in issuing a fatwa without ascertaining the validity of the evidence and without giving careful consideration and study.

However, there is no objection to exercising caution if the mufti knows the ruling for the issue in question. Other examples of tasahul include a mufti applying unlawful or disliked circumventive stratagems for an invalid purpose, seeking legal dispensations for the benefit of the inquirer by offering doubtful matters, and making things difficult for an inquirer he wants to harm. On the other hand, it is recommended for a mufti with sound intentions to introduce circumventive schemes that are free of doubt to release the inquirer from an oath or the like. This explains the practice of the pious Salaf on similar matters. Sufyan said, "Knowledge in our opinion is the rukhsa [license] from a reliable scholar. The rigid, rigoristic practice can be observed by everyone."

Tayseer in ifta`

The role of a mufti is to expound the legal ruling for the inquirer. A mufti may receive a question about a familiar and common issue for which there are multiple scholarly opinions or he may be asked about an unprecedented issue that needs the exercise of contemporary ijtihad. In both cases, it is mandatory for a mufti to tax himself to arrive at the ruling suitable for the posited question, whether through weighing scholarly opinions, examining the evidences and texts of the revealed sources, or extrapolating the ruling according to the rules set down by scholars and the principles of the mujtahid scholars (one qualified to practice ijtihad). A mufti must meanwhile keep in mind the objective of Islamic law with regard to the ruling that secures the welfare of the people, amends their conditions and is easy to follow. In Islam, taklif (moral accountability) is associated with tayseer and takhfif (mitigation).

Tayseer in fatwa, therefore, is the legislation of rulings in a manner that takes into account the needs of the mukallaf and his ability to obey commands and avoid prohibitions without violating the basic principles of [Islamic] legislation.

Evidences for the legitimacy of tayseer

There are numerous textual evidences both in the Holy Qur'an and traditions of the Prophet (peace and blessings be upon him) recommending tayseer and eliminating hardship or difficulty.

- God Almighty says, "God intends every facility for you; He does not want to put you to difficulties" (Qur'an 1: 185).

In his exegesis of the verse, al-Khazin said that God has eliminated hardships in matters of religion. It was said that the person who is most beloved to Him is the one who, when forced to choose between two matters, chooses the easier of them.

- God the Almighty says, "God does not wish to place you in a difficulty, but to purify you, and to complete His favor to you, that you may be grateful" (Qur'an 5: 6).

Imam al-Razi commented on this verse by saying, “Know that this verse is a firmly rooted and accredited [principle] in Islamic law. The fact that hardship is not sanctioned is evidenced by the verses, “He … has imposed no difficulties on you” and “God intends every facility for you; He does not want to put you to difficulties.”

- Abu Huraira (may God be pleased with him) said, “A Bedouin urinated in the mosque. The people rushed to throw him out of the mosque but the Prophet (peace and blessings be upon him) told them, ‘Let him be. Pour a bucket or pail of water on his urine. You were sent to make things easy and not to make them difficult.”

Al-Manawi said that the Prophet’s words “You were sent” are addressed to the believers who are ordered to “make things easy.” Al-Harali said, “Facilitation does not burden the soul or the body while difficulty both burdens the soul and harms the body.

The Prophet (peace and blessings be upon him) emphasized the importance of tayseer by negating its opposite, which is making things difficult, he said, “You were not sent to make things difficult.” It is him the Prophet (peace and blessings be upon him) who was indirectly charged [by God] to address the people. However, when the people were deputized to convey God’s rulings, they were charged with the same because they are his agents in conveying the rulings of Islam. The Prophet would do the same with every envoy he sent to any place and he would tell them, “Make things easy and do not make them difficult.” These were his words when the Bedouin urinated in the mosque.”

- Anas (may God be pleased with him) narrated that the Prophet (peace and blessings be upon him) said, “Make things easy [yassiru] and do not make them difficult, give glad tidings and do not repel people.”

Al-Manawi contended that the word يسروا (yassiru i.e facilitate) with a short vowel \a\ following the first letter and the doubling of the consonant \s\ for emphasis means espousing facilitation by speaking what inclines hearts to accept advice at all times so as not to turn people away [from God’s law]. This is because facilitation in teaching generates acceptance of obedience, encourages worship, and facilitates knowledge and action. The words ‘make things easy’ implied the meaning the Prophet (peace and blessings be upon him) wished to convey. However, he added the words ‘and do not make them difficult’ to emphasize his point even though a command to do something precludes its opposite.

Legal maxims related to Tayseer (facilitation)

1- Hardship begets facilitation

This is one of the major maxims that is used for the implementation of legal concessions in the event of recognized hardship (mashaqqa); imam al-Suyuti mentioned the scholarly opinion maintaining that all dispensations and facilitations can be deduced from this maxim.

Applicable to all branches and issues of Islamic law, the maxim "Hardship begets facilitation" achieves the purpose of Islamic law in alleviating and removing burdens that people may face while exercising their day-to-day religious rites.

2- When a matter is narrowed, it becomes wide

This maxim is applied to situations of necessity where if the original ruling is implemented difficulties would arise. A practical example of this would be the permissibility of a widow going out to work during the waiting period after her husband's death. The ratio legis in this case is allowing the woman to earn an income after the loss of her husband.

3- The basic rule in sexual relations is prohibition

This maxim prohibits engaging in sexual intercourse with any woman except under a valid contract of marriage or with possessed maids. The latter case rarely, if ever, exists. The Arabic plural noun (ibdha') denotes pudenda (sing. pudendum) which in Arabic means 'farj'. The word is used figuratively for women or fornication, which is generally prohibited except in a valid marriage. The maxim is based on the Qur'anic verse, "And those who abstain from sex (lit: guard their private parts) except with those joined to them in the marriage bond or those i.e. (captives) whom they possess" (Qur'an 23: 5).

Al-Suyuti said that when there is a possibility of confluence between prohibition and permissibility in the matter of marriage to a particular woman, then the prohibition prevails over permissibility. For this reason, if a person wishes to marry a woman from a small village, knowing that his sister whom he has never known is among them, it is prohibited for

him to marry any one of them for fear that he might enter into an unlawful marriage [with his sister]. Al-Khattabi maintains that it is permissible for him to marry a woman from a big village as a dispensation from God so as not to prevent him from marriage altogether. An exception can be made in the second example to facilitate matters for a person who wishes to marry. While the possibility of marrying his sister remains to be existent, it is nevertheless remote.

4- Permissibility is the basic rule

This maxim is based on the Qur'anic verses, "He is the One Who has created for you all that is on earth." (Qur'an 2: 29) and "Say (addressing Muhammad) who has forbidden the beautiful and good, pure things brought forth by God to His worshippers from His provision?" (Qur'an 7: 32).

Al-Suyti said, "This is our position. According to Abu Hanifa, the principle with regard to things is prohibition until evidence proves their permissibility. The effect of the difference of opinion is manifest in the matters which have neither been classified as permissible nor prohibited. The first opinion is supported by the Prophet's words, 'Whatever God has made permissible is permissible, whatever He has rendered prohibited is prohibited, and all that over which He has remained silent is forgiven. Therefore accept God's forgiveness for He does not forget anything'" (recorded by Al-Bazzar and al-Tabarani from the hadith of Abu al-Darda` with a fair chain of transmission).

5- It is recommended to remove oneself from controversial issues

This maxim suggests the mere recommendation and not the obligation of removing oneself from issues over which there is a difference of scholarly opinion. A case in point is bank transactions that fall under the judgment of scholars and their research deduced from textual evidences.

Some scholars have maintained that the relationship between banks and clients is one that is based on profit-based lending. Its ruling is therefore considered impermissible since it is considered usury.

Other jurists have maintained that bank loans do not fall under the category of necessities since necessity is legally defined as 'something without which one would perish or come close to perishing'. Still other jurists amongst this group maintain that bank loans are permissible based upon the principle that needs take the status of necessities—whether those needs are common or individual.

Yet, a third group of scholars regard the relationship between banks and clients as one based upon investment which some view as an invalid profit sharing venture (mudarabah) that can be rectified by combining it with a lease. In such a case of scholarly debate, there is no prohibition involved as it is recommended to remove oneself from controversy and follow those who maintain permissibility.

6- Objection is not for issues where there is a difference of opinion but for matters of consensus

The basic principle with regard to controversial issues is that they should not be denied for one who follows the scholarly opinion that considers them permissible.

The Prophet's dislike incessant questions and disputes concerning religious matters

Prophet Muhammad (peace and blessings be upon him) preferred facilitation in all affairs. According to al-Nisa`i, whenever someone would ask the Prophet (peace and blessings be upon him) incessant questions about rituals of worship, his face would turn red in anger and he would keep quiet. On one occasion, when the Prophet (peace and blessings be upon him) was giving a sermon on the obligation of hajj, a man asked him whether the duty of hajj is obligatory to be performed every year. When the Prophet (peace and blessings remained silent), the man repeated the question three more times whereupon the Prophet (peace and blessings be upon him) said, "If I say yes, it would become obligatory and it would be beyond your ability to perform it."

The Prophet (peace and blessings be upon him) was aware that the people would be burdened beyond their capacity with obligations were he to answer their incessant questions on religious matters, making them confused and demotivated from religious practice. It is for this reason that he said, "One of the worst sins a Muslim could commit is ask about something that was not prohibited for Muslims but became prohibited because of his asking."

It was the practice of the Prophet (peace and blessings be upon him) to avoid arguments about religious matters. He knew that disputes undermined unity and made religion difficult to act upon. By being concise and sincere in righteous action, Prophet Muhammad (peace and blessings be upon him) demonstrated great wisdom.

A person who contemplates the Islamic legal rulings, those concerned with the principles of faith and the actions of man, will come to the conclusion that they are based on both tayseer and elimination of hardships. This is without doubt one of the virtues of Islamic law.

It is important for a mufti and jurist to always keep in mind that Tayseer entails dispensations at a time of affliction and necessity. Consequently, whoever is afflicted with something controversial may follow the opinion of those who maintain its permissibility to avoid committing a prohibition. Moreover, tasyir helps to keep the fatwa centered on its own essentials, preventing parochial and rigid tendencies from dominating the religion.

The purpose of this is to provide facilitation to the people in matters of their religion, lift hardships, and rectify their actions, transactions and interactions as much as possible.

The Hanbali scholar Ibn Qayim al-Jawziyah warned against ignoring tayseer and making things easy for people, which would inevitably cause hardship and overburden the people in their daily lives. He said, "… This is a great aberration from Islamic law which is due to ignorance and causes unwarranted rigidity and hardship. …It is the essence of Islamic law to facilitate benefit to the people in this world and the next. Anything that violates the people's benefit and leads them to corruption (mafsadah) is alien to Islamic law, even if it is made out to be part of it."

A mufti must be careful not to confuse between latitude and facilitation when issuing a fatwa. He is obliged to conduct the necessary research and give due consideration to the question that leads to the correct verdict on the issue before him. When its criteria are observed, the principle of tayseer is considered a legal loophole in many contemporary issues over which there is a scholarly debate with respect to their permissibility or impermissibility.

Acting on a weak opinion

Issuing a fatwa based on a weak opinion depends on the extent of the permissibility of following the weak opinion. If we are going to accept acting upon a weak opinion, then it is permissible to issue a fatwa based on it. Therefore, the following discussion on acting upon a weak opinion likewise applies to issuing a fatwa based on it.

There is a consensus among the scholars that a mujtahid must follow the opinion, which he believes, is of greater weight. The scholar al-Qarafi said, "It is impermissible for a jurist who is a mujtahid to issue a fatwa except on the premise of an opinion which he deems dominant. If he is a muqallid, it is permissible for him to base his fatwas on the mash-hur [established] opinion of his school even if he does not deem it the preponderant opinion. He must follow the dominant position of the imam he follows as he does with the rest of the issues presented to him."

Scholars have founded their opinions on the obligation to follow the dominant scholarly opinion upon the following evidences:

- When both opinions, the dominant and weak, are probabilistic;
- when one opinion is stronger than the other;
- when it is agreed that it is impermissible to apply the weaker opinion;
- when a stronger opinion exists;
- when there is conflict between two probabilistic opinions and one of them is of greater weight than the other, the stronger opinion prevails over the weaker opinion.

However, scholars permit acting upon the weaker opinion and using it for fatwa in cases of necessity, to gain a presumed benefit or to avoid harm. This falls under following the opinion of another juristic school in one of the mentioned cases. Numerous subsidiary issues evidencing this matter may be found in books on jurisprudence; these include the scholarly opinions on praying behind an imam affiliated to a different juristic school than the congregants, even though the imam's prayer may contain secondary characteristics that the congregant does not preponderate. The purpose of this is to avoid strife and unite Muslims.

With regard to ifta`, after mentioning some weak opinions in the Hanafi school, Ibn 'Abdin wrote in the commentary on 'Uqud Rasm al-Mufti, "It is written in Al-Mi'raj 'an Fakhr al-`A`ima that it is commendable if a mufti follows any of these weak opinions in his fatwa in exceptional circumstances of necessity, seeking facilitation [end of quote]. From this citation, it is known that a person who is forced by necessity may act upon a weak opinion, as it is also permissible for a mufti to choose to base his fatwa on a weak opinion as mentioned earlier. What was mentioned on the impermissibility of acting upon a weak opinion or using it as a premise for ifta` is construed in a context other a necessity."

The purpose of tayseer makes it permissible to act according to a weak opinion to remove hardships. However, it is necessary not to use a very weak opinion i.e., it must be endorsed by Islamic law; its issuer must be known lest he may be one who is not to be followed in either knowledge or deeds; and meets the criterion of necessity or a presumed interest to ward off harm or avoid tribulation.

Using a weak opinion for a fatwa is left to the discretion of the mufti whose fatwa differs from one case to another depending on the strength of the mufti's understanding of the inquirer's conditions and circumstances that may require resorting to a weak opinion.

In all cases, however, a certain order of priority has been ascertained between the categories that needs to be carefully observed in the formulation of fatwa and ijtihad. From the viewpoint of their importance, the objectives of Islamic law have been divided into three categories: essentials (daruriyyat), complementary interests (hajiyyat), and embellishments (tahsiniyyat).

Only the first of these is broken down into five further divisions namely the preservation of life, religion, intellect, progeny, and property. These must be safeguarded as a matter of priority, both by individuals and the community, as well as the muftis, 'ulama' and government authorities, all of which are, in principle, under an obligation to observe and promote them.

Important rules to be considered when resorting to Tayseer for removing hardship:

1. To consider the four factors that occasion a change in fatwa i.e., time, place, persons and conditions.
2. Tayseer in fatwa must be based on considerable legal evidence such as in the case of nullifying the ablution due to touching a woman. Shafi'i and Hanafi scholars have different opinions.
3. Tayseer in fatwa must comply with the objectives of Islamic law.
4. To refrain from doling out dispensations according to personal desires and applying them only in cases of necessity.
5. The issue in question must be controversial (there is a difference of scholarly opinion) and subject to ijtihad.
6. Tayseer must not contradict ijma' (scholarly consensus) or qiyas (analogical reasoning).
7. Choosing the easier of two opinions for fatwa must not contradict the objectives of legislation or the definitive sources of Islamic law and its general principles.
8. Tayseer must not lead to prohibited fabrication.
9. To consider the consequences of the fatwa.
10. The opinion chosen for fatwa with the objective of facilitation must not lead to a prohibition or to something unlawful. 'Aisha (may God be pleased with her) said, "Whenever the Messenger of God (peace and blessings be upon him) had to choose between two things he always opted for the easier among them." The Prophet (peace and blessings be upon him) followed this practice only if the easier option did not involve any sin.

Practical examples of applying tayseer in fatwa

The first example

Touching the mus-haf (copy of the Qur'an) by menstruating or post-partum women

Scholars differed on the ruling related to Qur'an recitation and the handling of the mus-haf by a woman during her menstrual cycle or post-natal bleeding. Though the majority of Muslim scholars and jurists have maintained impermissibility, Maliki scholars have maintained permissibility regardless of the reason of recitation (such as fear of forgetting the Qur'an. As for touching a copy of the Qur'an during the menstrual period, the majority of the Muslim scholars do not permit it while Maliki scholars maintain its permissibility for a woman who learns or teaches the Qur'an. Zahiri scholars maintained unconditional permissibility of the matter. Therefore, if a female student of the Qur'an is preparing for an exam and needs to touch the mus-haf, the mufti is to issue the fatwa following the opinion of the Zahiris in order to apply tayseer in fatwa.

The second example

Paying zakat-ul-fitr in cash instead of grains

Hanafi scholars have maintained that the obligatory amount of zakat-ul-fitr is half a sa' [the equivalent of 2.0 kg] of wheat grain, wheat flour, a mixture of wheat and barley flour, raisins or one sa' of dates or barely. As for its quality, it has been established that the obligatoriness of the above kinds of foods is their material value and not their kind. Therefore, it is permissible to give out the equivalent value of any of the above in cash, trade goods, or in any other form.

Imam Al-Sarkhasi wrote in Al-Mabsut (vol. 3, p. 107-8), "It is permissible in our school to give out the value of wheat since the criterion is fulfilling the needs of the people and this is met by giving zakat-ul-fitr in cash as well as in the form of wheat grain. [However], Al-Shafi'i (may God have mercy on him) maintains that this is impermissible. Abu Bakr al-A'mash (may God be have mercy on him) used to say, 'It is better to give out [zakat-ul-fitr] as wheat grain than to give out its equivalent value because this is closer to conforming with the apparent meaning of the Prophetic hadith on the subject and avoids scholarly differences; therefore, it is more religiously cautious.'

Tayseer is considered a key component of ifta` and the center point between two extremes—indulgence and rigidity. It is of a paramount importance for the muftis to abide by and observe the criteria of the application of tayseer in fatwa in order to maintain the true essence of Islamic jurisprudence while simultaneously avoiding slipping into indulgence and laxity under the guise of facilitation.

The Science of Fatwa Making

Institutionalizing Fatwa Making: the Model of Egypt's Dar al-Ifta

Introduction

There is little doubt that today we live in a highly institutionalized world. From birth to death, we move through a series of institutions that are designed to maximize the progress and well-being of societies and individuals. All institutions revolve around a mission which in turn is predicated on a set of values.

The shape and purpose of contemporary institutions arises from the ever-mutable cultural, political, economic, and social landscape. In today's socioeconomic and political environment, where discrimination, intolerance, violence, and extremism have come to dictate personal values and moralities and where globalization and scientific and technological developments have transformed our lives, it is imperative that social institutions adapt to this ever-changing reality.

Like the rest of societies, the Muslim community everywhere is caught up in today's waves and struggles. Muslims are today in need more than any other time in history of moral and religious direction to help them navigate ethical challenges and determine if their judgments are in line with religious ethos.

This is where the role of ifta` comes to the fore, serving as a moral compass for the people. However, in order to fulfill its function and be responsive to the demands and needs of the people, the process of ifta` should always proceed in an institutionalized setting, one that is characterized by a collaborative and cooperative service orientation and formal guidelines.

The effectiveness and success of any institutionalized effort largely depend on the principle of cooperation and a collective approach. This fundamental principle finds expression in Islamic sources. God categorically says in the Qur'an, "And cooperate in righteousness and piety, but do not cooperate in sins and aggression" (5: 2). The Prophet Muhammad (peace and blessings be upon him) further placed great emphasis on cooperation when he said, "The Hand of God is with the group"and "A believer is to another believer like a building whose different parts support and strengthen each other."

The Fatwa Institution

A fatwa institution, known as Dar al-Ifta is a religious authority that serves to lay the foundational methodology for sound fatwa issuance in conformity with true Islam as well as to achieve the universal objectives of Islamic law, mainly the preservation of religion, life, honor, intellect, and property. From seemingly minor issues to more complex and difficult problems, a fatwa institution interprets religious law in context, taking cognizance of the mundane and spiritual lives of individuals and the well-being of society as a whole. Serving as a religious reference for the people, a fatwa institution provides fatwa solicitors with convenient and easy access to responses to their queries.

The institution has another particular role and responsibility, specifically to determine the beginning of the lunar months in collaboration with the Committee for Crescent Observation.

Vision

The vision of any fatwa institution is to serve as the fountainhead of religious responses to the queries and dilemmas of the people through the fatwas it issues. In line with this vision, a fatwa institution must observe the following:

- Act as a leading Islamic juristic religious reference in (1) the making of methodological context-based and culture and custom sensitive fatwas, and (2) issuing legal researches that address directly the unprecedented challenges and consequent needs as well as conduct in-depth researches into the complex issues that require primary source-based investigation pursuant to recognized scholarly research rules and methods.
- Its scholarly output must reflect a genuine expression of moderation in both the understanding and implementation of Islamic law as it applies to the devotional, tansactional, and social contexts of the people and their intra and interrelationships.
- To fully realize its vision within an institutional culture; therefore:
- All actors within the institution must have a clear and heightened awareness of what it is the institution exists to achieve.
- A fatwa institution must have an adept, qualified, and exclusively devoted leadership.
- It must provide all resources that need to be available for the institution’s operation.
- It must forge a positive reputation through its qualitative fatwa production.
- It must have the capacity for autonomous decision-making, achieving its objectives and overcoming obstacles in addition to commanding its due respect and confidence of the public.
- It must attract personnel with the level of qualifications, commitment, and devotion needed to ensure its success.
- It must have clearly defined and ratified bylaws and organizational systems that are to be communicated to the concerned bodies.
- It must set out and draft clearly defined and well-designed plans and programs that are to be communicated to the concerned bodies.
- It must develop a system for continuous supervision and assessment to ensure meticulous planning and implementation.

Mission

To pursue its mission, a fatwa institution must meet the following:

1- Establishment

The statement of the institution's mission is the most important stage of its development. Its components include a description of its mission, the determination of its character, ethos, philosophy, and goals as well as the means by which it will achieve its goals.

At this stage, a fatwa institution should determine its future vision, internal and external environment, and the description of the nature of its services and products.

2- Development

This stage comprises the construction and establishment of the institution and the development of the structural framework that best aligns with its purposes, future vision, and mission. At this stage, the institution determines its organizational and administrative structure, its governing financial and administrative regulations, develop job descriptions that articulate the outcomes needed from all employees, set out internal policies, procedures and working guidelines, and establish a system for developing human resources and overall efficacy.

3- Expansion

This is the stage where the institution designs plans, strategies, and adopts practical tactics to induce a calculated expansion of relations, the nature of its output, services, outreach, the size of its workforce, and optimizes effective utilization of technology.

4- Progress and amelioration

This is the optimization stage of the institution's evolution and development achieved reaches through the implementation of performance excellence criteria in all of its components.

5- Consolidation and endurance

This is the apex stage in terms of the level of the institution's fatwa-related output. The main challenge at this stage is to maintain success through continuous assessment and evaluation, benefiting from the competencies and expertise of individuals that lead to superior performance, taking measures to increase employees' involvement, dedication and well-being at work, maintaining the highest levels of transparency and credibility, and motivating employees to embrace the institution's mission.

The Mission of a Fatwa Institution

The mission and goals of a fatwa institution include:

- Communicating the teachings of true Islam to people everywhere and consolidating moderation in juristic rulings. This is achieved through issuing source-based fatwas pertaining to the public and private affairs of the people, conducting legal studies and researches, and exercising group ijtihad by engaging with Islamic scholars and taking advantage of modern technology and means of communication.
- Safeguarding its noble mission. The important services offered by a fatwa institution attend to the needs of general public of Muslims, and benefit non-Muslims, governmental and non-governmental organizations whether on the domestic, regional, or international levels.
- Keeping abreast of new developments and time related determinants. Islam is flexible enough to accommodate the cultural and civilizational changes that are evident in our modern lives both on the local and international stage. With this in mind, a fatwa institution should seek to put its stamp on the map by utilizing the tools of our age to build a Shari'ah oriented institution strong in its scholarly integrity and synchronous with contemporary events and developments.
- Forming a network of reciprocal relations with general and specialized institutions through:
- Full cooperation with domestic religious (Islamic and non-Islamic) institutions as well as with civil organizations and governmental, security, and developmental institutions with a view to strengthening the concept of full citizenship, disseminating the culture of purposeful dialogue, constructive collaboration, and rejecting all forms of discrimination on the basis of race, religion, denomination, or color.

- Build partnerships and exchange programs and expertise with other inveterate Shari'ah oriented and fatwa institutions such as the noble Azhar and Egypt's Dar al-Ifta.
- Communicate with international institutions that are concerned with coordinating between fatwa authorities and that seek to develop the process of ifta` and activate the role of group ijtihad in light of unprecedented and ongoing phenomena such as the General Secretariat for Fatwa Authorities Worldwide.
- Cooperate with the various international institutions such as the UN by exchanging and offering counsel and expertise in mutual areas of concern, especially those related to expounding sound Islamic concepts and ideas at the fore of the international scene foremost of which are deconstructing extremist ideology and repudiating misconceptions that are unequivocally extraneous to Islam.
- Stress Islam's respect for humankind—men and women, young and old—regardless of their religious belief, race, color, or culture.
- Disseminate a culture of tolerance and acceptance of the other through ifta` platforms, training programs, and public and private dialogue with all spectra of society.
- Resuscitate the four models of statehood as promulgated and put into effect by the Prophet Muhammad (peace and blessings be upon him) in Mecca, Abyssinia, and Medina. The purpose is to allow Muslims to live a decent life free from the complications and hardships evoked by pseudo-scholars who espouse rigidity and impose it on the people when Islamic law affords ease and facilitation to relieve the people's difficulties and hardships.
- Stress the need to reject all forms of violence and extremism while simultaneously mobilizing all means to safeguarding our shared humanity.
- Stress the necessity of respecting cultural, intellectual, and religious specificities of all components of the social fabric and emphasizing the importance of respecting the religious identity of Muslims by respecting their religious fundamentals and what they hold sacred.

The Pillars of Institutional Work

No structure can be erected or fulfill its purpose except if it is stabilized by means of strong pillars; any building is only as strong as its weakest pillar. In a similar fashion, to build a strong institution, it is necessary to select the appropriate pillars to support its goals and mission.

The first pillar

1- Values

Values according to Islam are a collection of measures and convictions that stem from a person's conception and attitude toward life, humanity, and God. Personal and societal values stem from life experiences and interactions with the world around us, guiding the way we live our lives, the decisions we make, and the goals we would like to reach.

It can be said that values are the ethical standards of any institution that guide its decisions, direction, strategies, policies, services, etc. Institutions that does not operate without values are comparable to a body without a soul or conscience. Indeed, it is difficult to conceive how a fatwa institution can run and discharge its obligations without governing values. The degree to which the various actors within the institution share its values is the measure of its effectiveness. An institution's governing values are those principles and qualities that are of the highest importance to the institution itself.

Governing values

Loyalty and honesty.

Workplace loyalty reflects the extent of the employees' dedication, seeking the pleasure of God Almighty.

Moderation.

Cultivating moderation in society in light of the objectives of Islamic law as a barrier against excessiveness and extremism.

Institutional work

Sustaining a culture of teamwork and collaboration as well as forming skilled and qualified work teams capable of executing the institution's vision and mission.

Transparency and responsibility.

Infusing disclosure, clarity, and accuracy into the institution’s communication with society.

Distinction.

Building an architecture that supports employee performance aligned towards achieving excellence.

Continuous development

Seeking to continuously improve the institution and its employees’ capabilities to offer optimal service relative to fatwa issuance and legal researches.

Core values

An institution’s core values designate its characteristics, services, strategy, and products. Through its core values, an institution achieves its vision, goals, and mission.

The second pillar

A clearly defined strategy. An institution’s strategy refers to its “integrated planning”. It also reflects its orientation and actions that drive work on all levels.

The third pillar

Building a strong organizational structure aligned with the institution’s nature and strategy. The organizational structure is the backbone of any institution without which it cannot stand. The organizational structure takes into account the institution’s nature of being and activities and the relevant strategy.

The fourth pillar

Forming an administrative management system commensurate with the institution’s vision.

The Organizational Structure for a Fatwa Institution

For a fatwa institution to carry out its function in the optimal manner, it needs to be guided by precision and the determinants of the times in terms of:

1. Providing a descriptive definition of a fatwa institution and its scope of activity and responsibilities.

2. Providing a descriptive definition of the mufti (the head of the institution), the qualifications and requirements for the office of head mufti, his role, and the scope of his jurisdiction and responsibilities.

3. Establishing a modern general organizational structure that best fits the institution's role that takes into account intra-organizational relationships and defines responsibilities.

4. Creating a chart illustrating job descriptions and key duties and responsibilities and the means of performance assessment.

5. Providing a description of all specialized and supportive departments within the institution, defining their roles and aims, work methods, cooperation and collaboration with other departments, and their relationship with the receiving party if they deal with the public.

6. Describing the institution's financial regulations and guidelines; defining its budgeting resources; pay structure, bonuses, and compensations; the disciplinary procedures.

The Organizational structure of a fatwa institution comprises three main divisions, headed by the institution's president. The institution is structured in the following hierarchy:

- The president of the institution (the Mufti); he is also the head of all divisions.
- Division of Shari'ah affairs.
- Media division and public relations office.
- Financial and administrative division.

Under each of the above are subsidiary departments handling specific duties as follows:

1-Division of Shari'ah affairs

(i)- Department of verbal fatwas (one-to-one meeting with fatwa solicitors).

(ii)- Department of telephone fatwas.

(iii)- Department of written fatwas.

(iv)- Department of e-fatwas (the department receives inquiries via electronic formats such as email, applications, the institution's website, etc.).

(v)- Department of Shari'ah researches.

(vi)- Training department.

(vii)- Translation department.

2- Media division and public relations office

(i)- Media center.

(ii)- Media observatory.

(iii)- Department of public relations and coordination.

3- Financial and administrative division

(i)- The Mufti's office.

(ii)- Department of personnel affairs.

(iii)- Department of financial affairs.

(iv)- IT, programming, network, and technical support department.

(v)- Department of legal affairs.

The Mufti

The Mufti is the head of the fatwa institution. He represents the institution both at the national and international levels. In his capacity as head, he speaks on the institution's behalf, is responsible for ensuring its security, ensures employees' dignity, maintains order, oversees the complete operation of the institution in accordance with domestic legal and Shari'ah provisions, makes the final decisions, and has the authority to delegate some of his functions to one of his assistants or advisors.

Prerequisites

1. He shall have thorough knowledge of the rulings contained in Qur'anic verses relative to the inquirer's question; whether the verse is expressed literally or allegorically, implicitly or explicitly such as the verses on transactions and contracts that are based on mutual agreement and on avoiding wrongfully consumed property.

2. He shall have thorough knowledge of Prophetic traditions comprising rulings, especially those related to the issue in question such as the tradition on the prohibition of deception and fraud, the prohibition of selling an item before having it in his possession, the prohibition of settling a debt at its due date in a currency than that of the original loan.

3. He shall have knowledge of the principles of Shari'ah and its universal values; and its general objectives of preserving religion, life, intellect, honor, and property as expounded by Imam al-Shatibi and others.

4. He shall have knowledge of the juristic issues over which scholars have reached a consensus.

5. He shall have a profound knowledge of the various disciplines of the Arabic language sciences.

6. He shall enjoy full mental capacity.

7.He shall be able to derive legal rulings from the sources of Islamic law and fulfill other conditions stipulated by Islamic legal theorists.

8. He shall hold the highest license for fatwa issuance and specialized academic degrees such as a PhD in Islamic jurisprudence or the principles of Islamic law or equivalent.

9. He shall have published in his name specialized researches and studies addressing jurisprudential themes.

10. He shall be acquainted with the prevailing reality at the national and international levels, and have knowledge of the different customs and cultures.

11. He shall enjoy a good reputation, honesty, competence, and gentleness.

12. He shall be proficient in the tools of administration and demonstrate effective leadership.

13. He shall have proficient knowledge of the Arabic language if he is not a native speaker of the language; it is recommended that he be able to communicate in more than one language.

Division of Shari'ah Affairs

The division of Shari'ah affairs is the operational heart of the fatwa institution. The division generates all fatwa, research, and advisory outputs as well as provides fatwa related training. These are the main functions for which the institution was created.

Structure of the division

The division is headed by a general manager who is only second in command to the president of the institution, the Mufti. He shall meet the requirements of the job description for his office. He is the direct superior of the fatwa practitioners who are tasked with answering the inquirers' queries and conduct researches.

Job Description of the Head of the Division of Shari'ah Affairs

1. He shall have absolute belief in the general vision of the institute.

2. He shall actively seek to accomplish the general mission of the institute.

3. He shall efficiently manage all aspects of the division.

4. He shall coordinate and oversee work between the different departments.

5. He shall coordinate communication between the division and the head of the institution by conveying to him new visions and recommendations.

6. He shall communicate the verbal and written instructions from the head of the institution to the departments under his jurisdiction.

7. He shall arrange with the heads of other divisions to provide his division with the necessary references, researches, information, academic assistance, technological and logistic tools, and training programs.

8. He shall oversee workflow both directly and through the reports submitted to him from the department heads.

9. He shall submit detailed periodical reports on the workflow in his division to the head of the institution with precision and transparency. He shall moreover draw attention to any shortcomings and provide recommended solutions.

10. He shall be assisted by selected fatwa practitioners and heads of Shari'ah departments in compiling an index of authoritative fatwas.

11. He shall directly oversee the consistency of fatwas in the various platforms in compliance with the quality control and standards.

12. He shall refer any fatwas with far reaching implications to the head of the institution.

13. He shall coordinate with the various bodies such as economic and social bodies whose work crosses boundaries with the fatwa process.

14. He shall conduct a complete and careful review of all the output of the departments prior to their issuance.

15. He shall perform all the duties and work assigned to him by the head of the institution.

16. He shall discharge all other duties and work assigned to him.

Qualifications of the head of the Division of Shari'ah Affairs

1. He shall have a PhD or its equivalent in general or comparative jurisprudence or the principles of jurisprudence. In exceptional circumstances, a non-PhD holder with solid scholarship and professional competence may hold this office.

2. He shall have conducted ifta` related researches and studies and have conducted at least one peer-reviewed research.

3. He shall have completed at least three years as a fatwa practitioner in one of the fatwa departments. A fledgling fatwa institution may overlook this condition if the candidate receives at least three months of intensive training in a recognized fatwa institution such as The General Secretariat for Fatwa Authorities Worldwide and receive an aptitude certificate.

4. He shall hold a diploma or at least have attended a training course certified by a specialized body teaching administration.

5. He shall demonstrate leadership qualities and have superior skills of teamwork.

6. He shall enjoy a good reputation, competence, and honesty.

7. He shall be proficient in the Arabic language; this condition is essential for this office in a fatwa institution in a non-Arabic speaking country.

Fatwa Practitioners

The fatwa practitioners at a fatwa institution are responsible for the direct dealing with fatwa solicitors as well as for conducting researches, producing research fatwas, and answering misconceptions. For this reason, a fatwa practitioner is the most important element in the process of ifta`.

The direct superior of all fatwa practitioners at a fatwa institution is the head of the Shari'ah division.

The office of a fatwa practitioner

The office of a fatwa practitioner has been in place for ages. Muftis in the past would turn to the prominent muftis of their time to seek their counsel and benefit from their knowledge. And with the development of the process of ifta`, the hierarchical structure of fatwa institutions and their organizational structure has come to rely to a great extent on fatwa practitioners who are selected to answer all incoming queries of fatwa solicitors.

Conditions and qualifications for the office of a fatwa practitioner

1. He shall hold a suitable academic degree i.e. a B.A. in Islamic sciences from an accredited faculty or high institution for Islamic legal sciences. It is an added advantage if the candidate for this office holds a higher degree.

2. He shall have special interest in Islamic jurisprudence and its proofs as well as in the principles of Islamic jurisprudence.

3. He shall have erudition in the Qur'anic verses containing legal rulings and the causes of their revelation and the pertinent scholarly comments.

4. He shall have erudition in Prophetic traditions containing legal rulings, the causes of their revelation and the pertinent scholarly comments.

5. He shall be proficient in the Arabic language, the language of the Qur'an, and be able to read and write in the language.

6. He shall have skill and expertise in making use of Islamic legal references

and be able to extrapolate legal cases from their loci.

7. He shall be patient, well mannered, gracious, and presentable.

8. He shall be proficient, naturally discerning, and deeply insightful.

9. He shall be knowledgeable of the lived reality of his times and have knowledge of its culture and customs.

10. He shall receive a license to practice ifta` from two recognized senior scholars from an Islamic country.

11. He shall successfully complete the advanced training course specially designed for qualifying fatwa practitioners in his country or complete an equivalent course in The General Secretariat for Fatwa Authorities Worldwide. He shall afterwards spend six months as a fatwa practitioner training under an experienced working fatwa practitioner.

12. He shall be computer literate.

13. He shall be honest, competent, and gentle.

14. He shall not have been penalized for an ethical offense or an offense of moral turpitude in his country or elsewhere except if he is declared innocent by a final court decree.

15. He shall be cautious and not given to impulsivity and impetuousness.

16. He shall not have an indulgence for aberrant fatwas and obsolete scholarly opinions.

17. He shall choose the weightiest opinion with the strongest proofs.

18.He shall take into account the objectives of Islamic law.

19. He shall be a team worker, collaborative, and socially skilled.

20. He shall be skilled in body language and it is an advantage if he knows a second language.

Job description

Job title: Fatwa practitioner.

Division and department: All departments within the division of Shar'ah affairs.

Duties:

1. Answer incoming inquiries from fatwa solicitors.
2. Compose fatwas in accordance with the followed criteria.
3. Conduct legal researches.
4. Represent the fatwa institution in official circles, research centers, conferences, seminars, the media, etc. as authorized by the institution.
5. Offer guidance and instruction to pilgrims on the greater or minor pilgrimage though lectures as to the rituals and escort pilgrim convoys as authorized by the institution.
6. Discharge all assigned duties and responsibilities.

Department of Verbal Fatwa

This department receives fatwa solicitors, Muslims and non-Muslims, in the institution's headquarters or any of its branches, whether they come in person or send commissioned agents.

Department goals

1. Gain religious credibility of fatwa solicitors at home and abroad.
2. Issue fair and adequate fatwas, attempt to gain the trust of the public through professionalism and mindfulness of God.
3. Motivate fatwa practitioners to continually further their scholarship and demonstrate their scholarly status.
4. Conduct periodical performance and professional assessments by reviewing samples of issued fatwas by rating them against the set criteria.

5. Ensure that the issued fatwas and legal responses are enriched with religious appeal in order to guarantee the inquirers' required moral development.

Conditions for the office of the head of the verbal fatwa department

1. The same above mentioned conditions for the office of the head of the division of Shari'ah affairs.

2. He shall hold an M.A. in Islamic jurisprudence or the principles of Islamic jurisprudence or three years' experience in a fatwa department with at least one year in the verbal fatwa department. Unlike the head of the division of Shari'ah affairs, it is not necessary for the head of the verbal fatwa department to hold a PhD.

Duties of the head of the verbal fatwa department

1. Create a suitable environment for optimal operation of the department.

2. Determine the best means to ensuring meeting the goals of the institute.

3. Integrate the efforts of employees to achieve the set targets.

4. Develop, train, and motivate the department.

5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.

6. Organize committees to discuss, study, and explore unprecedented matters and thorny issues.

7. Refer questions of special nature to the head of the Shari'ah division and then to the head of the institute, the Mufti, if necessary.

8. Refer questions and cases that need research to the department of legal research.

9. Oversee the workflow.

10. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti, and to follow up with his employees and their recommendations and proposals.

11. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

Workflow in the department of verbal fatwa

1. Receive fatwa solicitors in the headquarters of the fatwa institution or its branches.

2. Direct solicitors to the information desk to register their details.

3. Refer fatwa solicitors to one of the fatwa practitioners.

4. The fatwa practitioner will either answer the inquirer's question or refer him/her to the head of the department who will issue the solicited fatwa.

5. Alternatively, if need be, the head of the verbal fatwa department will refer the solicitor to another department such as the department of written fatwa, or to the head of the division of Shari'ah affairs who may either issue the fatwa himself, refer it to the head of the fatwa institution, the Mufti, or to the department of legal researches if it needs further investigation and research.

Performance index of the department

These include:

1. Indicators to determine schedule performance within the department and decline in the size and number of problems reported to the head of the department.

2. Indicators to measure the degree of job satisfaction and allow employees to evaluate their manager; they should not measure less than 80% and should be conducted every three months.

3. Indicators to measure the head of the Shari'ah division's satisfaction with the the head of the department which should not measure less than 80% and should be conducted every three months.

Department of Phone Fatwa

The department of phone fatwa receives inquiries on legal questions via the phone, on either the landline, cell or mobile phone, etc. Incoming questions come from inside or outside the country and from Muslims and non-Muslims alike in both the local and foreign languages.

The department encompasses a modern call center to handle incoming calls.

Department goals

1. Gain religious credibility of fatwa solicitors at home and abroad.

2. Issue fair and adequate fatwas, attempt to gain the trust of the public through professionalism and mindfulness of God.

3. Motivate fatwa practitioners to continually further their scholarship and demonstrate their scholarly status.

4. Conduct periodical performance assessments by reviewing samples of issued fatwas by rating them against the set criteria.

5. Ensure that the issued fatwas and legal responses are enriched with religious appeal in order to guarantee the inquirers' required moral development.

6. Maintain total confidentiality of inquirers' information and protecting their privacy.

The head of the department

The head of the department of phone fatwa must be able to bear this trust and responsibility. He must possess the required ifta` related and administrative qualifications. The head of the department of phone fatwa superintends a group of fatwa practitioners who answer the incoming queries.

Conditions for the office of the head of the phone fatwa department

1. The same above mentioned conditions for the office of the head of the division of Shari'ah affairs.

2. He shall hold an M.A. in Islamic jurisprudence or the principles of Islamic jurisprudence or he shall have three years' experience in a fatwa department with at least one year in the phone fatwa department. Unlike the head of the division of Shari'ah affairs, it is not necessary for the head of the phone fatwa department to hold a PhD.

Duties of the head of the verbal fatwa department

1. Create a suitable environment for the optimal operation of the department.
2. Determine the best means to ensure meeting the goals of the institute.
3. Integrate the efforts of employees to achieve the set targets.
4. Develop, train, and motivate the department.
5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.
6. Organize committees to discuss, study, and explore unprecedented matters and thorny issues.
7. Refer questions of special nature to the head of the Shari'ah division and then to the head of the institute, the Mufti, if necessary.
8. Refer questions and cases that need research to the department of legal research.
9. Oversee the workflow.

10. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti, and to follow up with the recommendations and proposals of the fatwa practitioners.
11. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

Workflow in the department of phone fatwa

1. Listen carefully to the question, more than once if necessary.
2. Take into consideration the elements of a fatwa by making an accurate conceptualization of the issue in question without haste, extract the significant features of the petitioner's case, identify the corresponding legal issue in the legal corpus, and evaluating its validity and likely consequences before finally issuing the fatwa.
3. Give a concise but thorough answer.
4. Give a clear and straightforward answer free from unfamiliar words and technical terminology.
5. Take into account the petitioner's job, and his/her cultural and social milieu.
6. Take the right approach when answering a question of a sensitive nature and the petitioner's nationality and hometown.
7. Formulate and give the answer in the manner suitable to the petitioner.
8. Avoid giving the answer in generalized terms.
9. Refuse to answer irrelevant questions and those that cannot be answered over the phone such as for instance those concerning legal litigations.
10. Ask the petitioner to come to the fatwa institution in person concerning for instance divorce and non-legal disputes.

11. Postpone the answer to questions that need to be researched and promise to answer the petitioner at soon as is possible.

12. Give prompt answers to petitioners with special circumstances such as those who will undergo a surgical procedure, travel outside the country, etc.

13. Refer difficult questions to more experienced and competent fatwa practitioners.

Performance index of the department

These include:

1. Indicators to determine schedule performance within the department and decline in the size and number of problems reported to the head of the department.

2. Indicators to measure the degree of job satisfaction and that allow employees to evaluate their manager; they should not measure less than 80% and should be conducted every three months.

3. Indicators to measure the head of the Shari'ah division's satisfaction with the the head of the department which should not measure less than 80% and should be conducted every three months.

Department of Written Fatwa

The department of written fatwa issues written fatwas. The fatwa are formulated in an accurate, easy, and uncomplicated manner.

Department goals

1. Gain religious credibility of fatwa solicitors at home and abroad.

2. Issue fair and adequate fatwas, attempt to gain the trust of the public through professionalism and mindfulness of God.

3. Motivate fatwa practitioners to continually further their scholarship and demonstrate their scholarly status.

4. Conduct periodical performance assessments by reviewing samples of issued fatwas by rating them against the set criteria.
5. Ensure that the issued fatwas comply with the criteria of scholarly research, while taking into consideration the objectives of Islamic law.

Scope and subject matter of the questions

1. The petitioner comes in person or sends an agent bearing a formal power of attorney to fill out a signed request attached with an identifying photo.
2. The department receives the letters sent via fax.
3. The department receives formal letters from the courts and from the various bodies.
4. The department receives formal and informal letters directed to the Mufti.
5. The department receives questions via the internet which are answered and posted online to benefit a wider range of audience.

Workflow in the department of written fatwa

1. Requests for incoming fatwas from the various avenues are collected and presented to the head of the department for archiving.
2. Fatwa practitioners receive the questions from the head of the department to answer them in accordance with set criteria.
3. The last step is the most important of the entire process and involves the actual making of the fatwa.

Conditions for the office of the head of the written fatwa department

1. The same above mentioned conditions for the office of the head of the division of Shari'ah affairs. He shall hold an M.A. in Islamic jurisprudence or the principles of Islamic jurisprudence or he shall have three years' experience in a fatwa department with at least one year in the written fatwa department. Unlike the head of the division of Shari'ah affairs, it is not necessary for the head of the written fatwa department to hold a PhD.

2. He shall be able to prepare and write scholarly researches, research oriented fatwas and uncomplicated fatwas in a professional manner.

Duties of the head of the verbal fatwa department

1. Create a suitable environment for the optimal operation of the department.

2. Determine the best means to ensure meeting the goals of the institute.

3. Integrate the efforts of employees to achieve the set targets.

4. Develop, train, and motivate the department.

5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.

6. Organize committees to discuss, study, and explore unprecedented matters and thorny issues.

7. Refer questions of special nature to the head of the Shari'ah division and then to the head of the institute.

8. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti.

9. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

Performance index of the department

These include:

1. Indicators to determine schedule performance within the department and decline in the size and number of problems reported to the head of the department.

2. Indicators to measure the degree of job satisfaction and that allow employees to evaluate their manager; they should not measure less than 80% and should be conducted every three months.

3. Indicators to measure the head of the Shari'ah division's satisfaction with the head of the department which should not measure less than 80% and should be conducted every three months.

The Department of Electronic Fatwas

The department of electronic fatwas receives inquiries via various applications and platforms such as email, the institute's official website, social media, etc.

The numerous number of queries and easy access makes this department the most dynamic and busy.

Department goals

1. The department of electronic fatwas seeks to achieve a progressive front and strong presence on the internet for the institution through intensive work and competence.

2. Gain religious credibility of fatwa solicitors, both individuals and organizations, at home and abroad.

3. Issue fair and adequate fatwas, attempt to gain the trust of the public through professionalism and mindfulness of God.

4. Motivate fatwa practitioners to continually further their scholarship and demonstrate their scholarly status.

5. Conduct performance assessments by rating them against the set criteria.

6. Ensure that the issued fatwas be concise but thorough and comply with the criteria of scholarly research, while taking into consideration the objectives of Islamic law.

Workflow in the department of electronic fatwas

1. The petitioner accesses the institution's website on the internet.

2. He/she proceeds to the "fatwa request" section and types in the subject matter of his/her question (i.e. prayer, zakat, pilgrimage etc.), writes his/her question and presses send.

3. He/she will then receive a secret number for their question.

4. A fatwa practitioner will then answer the question and send it to the inquirer's email.

5. One hour after sending the question, the petitioner will be able to retrieve his/her answer from the "retrieve answer" section, and type in the question number to receive the answer. If the petitioner has typed in the email address, he/she will receive an email containing the answer.

Conditions for the office of the head of the electronic fatwa department

1. The same above mentioned conditions for the office of the head of the division of Shari'ah affairs.

2. He shall hold an M.A. in Islamic jurisprudence or the principles of Islamic jurisprudence or he shall have three years' experience in a fatwa department with at least one year in the electronic fatwa department. Unlike the head of the division of Shari'ah affairs, it is not necessary for the head of the electronic fatwa department to hold a PhD.

3. He shall be able to prepare and write fatwas in a professional and uncomplicated manner.

Duties of the head of the verbal fatwa department

1. Create a suitable environment for the optimal operation of the department.

2. Determine the best means to ensure meeting the goals of the institute.

3. Integrate the efforts of employees to achieve the set targets.

4. Develop, train, and motivate the department.

5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.

6. Organize committees to discuss, study, and explore unprecedented matters and thorny issues.

7. Refer questions requiring research-oriented fatwas to the department of legal researches.

8. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti.

9. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

10. Prepare short template answers for the most frequently asked questions.

11. Measure the accuracy, efficacy of the electronic portals by constantly reviewing the key performance indicators for the website.

12. Review all of the department's output.

Performance index of the department

These include:

1. Indicators to determine schedule performance within the department and decline in the size and number of problems reported to the head of the department.

2. Indicators to measure the degree of job satisfaction and that allow employees to evaluate their manager; they should not measure less than 80% and should be conducted every three months.

3. Indicators to measure the head of the Shari'ah division's satisfaction with the head of the department which should not measure less than 80% and should be conducted every three months.

The Department of Legal Researches

The department staff includes fatwa practitioners and researches specialized in Islamic legal sciences and the Arabic language. Its work is mainly focused on issuing Islamic legal researches and offering juristic counsel in all branches of the Shari'ah.

Department goals

1. Conduct specialized researches and research oriented fatwas. This department ministers to the entire process of ifta` as a means to keeping abreast of the ever dynamic life that characterizes the world today.

2. Make significant and effectual contributions to a profound and extensive research activity to address points of law whose rulings have changed with the times and the attending circumstances or unprecedented issues and newly emerging problems.

3. Research the criteria for preponderance of proofs and fatwa authorization on the basis of the universal objectives of Islamic law and the interests of the people.

4. Gain the religious credibility of fatwa solicitors, both individuals and the various kinds of organizations, Muslims and non-Muslims, at home or abroad.

5. Issue punctilious researches, research oriented fatwas, encyclopedias, and other publications.

6. Gain the trust of the public who are referred to the department through professionalism and mindfulness of God.

7. Motivate fatwa practitioners to continually further their scholarship and demonstrate their scholarly status.

8. Conduct performance assessments by rating them against the set criteria.

9. Ensure that the department's output complies with the criteria of scholarly research while taking into consideration the objectives of Islamic law.

Scope and subject matter of the questions

1. All questions that need research and are referred to the department from the head of the institution, the Mufti.

2. All questions that need research and are referred to the department from all departments of the Shari'ah division (the departments of verbal, phone, electronic, and written fatwas, translation department etc.).

3. Incoming questions from the courts.

4. All incoming questions from local and international think tanks that need research.

5. All incoming questions from local and international Islamic authorities and organizations.

6. All incoming questions from universities, students, and specialized researchers.

7. Issues proposed by the head of the department.

8. Issues proposed by fatwa practitioners after consulting the head of the department.

Conditions for the office of the head of the department of legal researches

1. The same above mentioned conditions required from the head of the Shari'ah division.

2. He shall hold an M.A. in Islamic jurisprudence or the principles of Islamic jurisprudence or he shall have three years' experience in a fatwa department with at least one year in the department of legal researches. Unlike the head of the division of Shari'ah affairs, it is not necessary for the head of the electronic fatwa department to hold a PhD.

3. He shall be able to conduct and produce researches in a professional and uncomplicated manner.

4. He shall demonstrate leadership and persuasion skills, teamwork, and patience.

Duties of the head of the department of legal researches

1. Create a suitable environment for the optimal operation of the department.

2. Determine the best means to ensure meeting the goals of the institute.

3. Integrate the efforts of employees to achieve the set targets.

4. Develop, train, and motivate the department.

5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.

6. Organize workshops designed to explore and discuss newly emerging phenomena and thorny issues as a base for the researches.

7. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti.

8. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

9. Review the entire department's output.

The Department of Training

The department's primary responsibility

is to train fatwa practitioners and researchers affiliated with the fatwa institution in carrying out their duties and enhancing their scholarship and enriching their scholarly expertise. The department also focuses helping fatwa practitioners and researchers develop other skills necessary for their work such as good listening, effective communication, teamwork, work management, and critical and creative thinking.

Department goals

1. To graduate qualified trainees able to carry responsibility and answer questions on points of law, able to keep abreast of the dynamic nature time, people, events, ideas, systems etc.

2. To graduate trainees competent in the use of the modern tools of ifta`, be technologically fluent, and able to make significant and effective contributions to drive forward the fatwa, research, and scholarly processes.

3. To graduate professional trainees possessing good communication skills, body language, and team play.

4. To graduate trainees able to define and adopt the criteria for preponderance and fatwa authorization on the basis of the universal principles of Islamic law and the interests of the people.

5. To gain the religious credibility of fatwa solicitors, both individuals and the various authorities and organizations, Muslims and non-Muslims, at home and abroad.

6. To gain the trust of individuals who deal with the department through professionalism and mindfulness of God.

7. To motivate trainees, both academicians and others to continually further their scholarship and demonstrate their scholarly status.

8. To conduct performance assessments by rating them against the set criteria.

9. To ensure that training complies with the set criteria for training.

Conditions for the office of the head of the department of training

1. The same above-mentioned conditions required from the head of the Shari'ah division.

2. He shall hold an M.A. in Islamic jurisprudence or the principles of Islamic jurisprudence or he shall have three years' experience in a fatwa department with at least one year in the department of training. Unlike the head of the division of Shari'ah affairs, it is not necessary for the head of the electronic fatwa department to hold a PhD.

3. He shall hold a diploma or shall have attended a certified and accredited training management course in a specialized academy or institution.

4. He shall hold a diploma or shall have attended a certified and accredited training course in the art of training and course design.

5. He shall be persuasive, influential, and patient.

Duties of the head of the department of training

1. Create a suitable environment for the optimal operation of the department.

2. Determine the best means to ensure meeting the goals of the institute.

3. Integrate the efforts of employees to achieve the set targets.

4. Develop, train, and motivate the department.

5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.

6. Organize workshops on a regular basis with the training team designed to provide trainees with the most up-to-date and effective training.

7. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti.

8. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

Scope and purpose of trainee enrollment

1. The department receives new trainees to train them for Shari'ah related and research jobs who meet the required conditions for the relevant positions. A training period of not less than six months is mandatory.

2. The department provides training to working fatwa practitioners and researchers who need special training.

3. The department provides non-specialized training to employees working in the fatwa institution to develop their time management and team playing skills based the request of department heads or the head of the institution.

4. The department provides training to individuals from religious and da'wah institutions in the craft of ifta`.

Performance index of the department

These include:

1. Indicators to determine schedule performance within the department and decline in the size and number of problems reported to the head of the department.

2. Indicators to measure the degree of job satisfaction and that allow employees to evaluate their manager; they should not measure less than 80% and should be conducted every three months.

3. Indicators to measure the head of the Shari'ah division's satisfaction with the head of the department which should not measure less than 80% and should be conducted every three months.

The Translation Department

The translation department is responsible for translating incoming foreign-language queries and for sending them to the fatwa practitioners who will then draft the answers.

The translation department came into being following the rapid advancements in technology and means of communication that expanded the scope for information and idea exchange. This, in turn, had a great impact on the dissemination of fatwa via the internet that, although has many advantages, but still has some obvious flaws, foremost of which is fatwa chaos. It was therefore necessary to establish a translation department comprising several languages to disseminate methodological and sound fatwas to curb this phenomenon.

Workflow in the translation department

1. The department receives questions from all over the world in the different languages which are then translated into the mother language.

2. After translation and revision, the questions are submitted to a fatwa practitioner who will study and answer the question and send it back to the translation department where it will be translated into the inquirer's language.

3. The department translates selected fatwas into various languages to post them on the institution's website.

4. The fatwas selected for translation represent the institution's position on the various issues.

5. The translation department translates into different languages the statements and scholarly material issued by the institution.

Performance index of the department

These include:

1. Indicators to determine schedule performance within the department and decline in the size and number of problems reported to the head of the department.

2. Indicators to measure the degree of job satisfaction and that allow employees to evaluate their manager; they should not measure less than 80% and should be conducted every three months.

3. Indicators to measure the head of the Shari'ah division's satisfaction with the head of the department which should not measure less than 80% and should be conducted every three months.

Conditions for the office of the head of the translation department

1. He shall hold at least an M. A. in the language of his specialization and shall have spent at least three years working in the field of translation.

2. He shall be qualified, competent, and honest.

3. He shall have managerial, leadership, and team play skills.

Duties of the head of the translation department

1. Create a suitable environment for the optimal operation of the department.

2. Determine the best means to ensuring meeting the goals of the institute.

3. Integrate employee efforts to achieve the set targets.

4. Develop, train, and motivate the department.

5. Present himself as a good role model for his subordinates in terms of efforts and working under pressure.

6. Hold meetings periodically with his subordinates to convey the instructions of the head of the Shari'ah division and the head of the institute, the Mufti.

7. Submit periodical reports on the department's workflow to the head of the Shari'ah division and to the head of the institution, the Mufti.

8. The head of the translation department heads a group of researchers and translators who must have similar qualifications to the head.

Media and Public Relations Division

The media and public relations division within the institution assumes enormous significance in light of the extensive dissemination of extremist ideologies made possible through the internet and the obligation to perform the duty of the times by elucidating the moderation of Islam and its view of the categorical imperative of peace.

The division issues news, work plans, activities, scholarly outputs, and press releases in local and international papers worldwide as well as on the various media platforms. The division is responsible for conveying the institution's message not only to the Islamic community everywhere but also to the entire world. It moreover coordinates media and public relations between the fatwa institution and other local and international institutions and organizations.

The head of the media and public relations division

The head of the media and public relations division must have the necessary scholarly competence and hold the required academic and professional credentials for the position. He is responsible for the image of the institution and its staff in the public sphere and is likewise responsible, with the help of adjuvant units, for observing and answering misconceptions and allegations leveled against the institution.

Goals

1. Follow-up and monitor the local, regional, and international media.
2. Promote awareness of the institution's role.
3. Release messages and issue fatwas.
4. Prepare observation teams.
5. Prepare teams to work in parallel with the institution's website to issue fatwas on different websites.
6. Liaise with some program hosts in local satellite channels to publicize information gathered by the center's staff.
7. Form a network of strong public relations both locally and internationally.

Division units

1- Media observatory unit.

The unit methodologically observes, analyzes, and tackles religious affairs around the world and provides qualitative and professional advice instructions.

Tasks

- Follow up and monitors the local, regional, and international media.
- Provide media counsel.
- Provide media material in different languages.
- Daily follow up on news released in newspapers.
- Identify negative or inaccurate coverage.
- Develop strategies to announce news and opinions.
- Provide counsel on regional and global events that must be addressed by the head of the institution.
- Assess responses to the issued fatwas and opinions, provide counsel, and provide clarification if necessary.
- Designate aberrant fatwa.
- Goals
- Correct religious opinions and aberrant and stringent fatwas observed in the different media platforms.
- Provide qualitative and professional counsel to those undertaking public religious duties, especially ifta`, with a view to enhancing their performance by for example activating the role of religious institutions to resolve some of the ideological and societal problems.
- Draw up descriptive reports, identify problems related to the religious sphere in general and fatwas and aberrant and stringent opinions in particular.

2- Media unit

The media unit comprises several smaller units each performing a different function. These are:

- News tracking and daily press report writing unit.

- Press release and news unit.
- Training, performance activation, and planning unit.
- Administrative coordination and communications unit.
- Media review unit.
- Press conference unit.

3- Public relations unit

- The public relations unit liaises with all embassies and consulates both at home and abroad, obtains visas and makes travel arrangements for the head of the institution and his accompanying delegation and for any delegated fatwa practitioners or staff members traveling for work purposes.
- Receives visiting delegations and guests.
- Coordinates interviews and meetings with the head of the institution.
- Coordinates with host organizations and bodies inviting the head of the institutions or his delegates both at home and abroad, obtains the tickets, and makes the necessary arrangements with the concerned bodies.
- Receives and completes all travel procedures for the head of the institution, the Mufti, and his accompanying delegation or for his delegates.

Division of Administrative and Financial Affairs

There is no doubt that any organization or institution must have an integrated organizational structure to deliver the highest level of growth and services. The head of the division must enjoy superior administrative and managerial skills, allowing the fatwa practitioners to discharge their duty in a suitable environment. The division comprises the following departments:

1. The Grand Mufti’s secretary office.
2. Personnel affairs.
3. Financial affairs.
4. IT, programming, and technical support.
5. Legal affairs.

The Grand Mufti’s secretary office

The essential functions of the Grand Mufti’s secretary office are:

1. Managing appointments and schedules including meetings, interviews, receiving guests, etc. in coordination with the media and public relations division.
2. Following up on and tracking actual rate of performance and proportion of plans achieved.
3. Sending and receiving letters and fax messages from and to the head of the institution, the Mufti.
4. Presenting periodical incoming reports to the head of the institution, the Mufti.

Personnel affairs

The main tasks of the personnel affairs department are to:

- Provide technical, administrative, and procedural support to all divisions of the institution.
- Play a coordinative and assistive role with respect to all departments.
- Publish rules and regulations pertaining to the institution.
- Coordinate with outside technical and administrative insurance.
- Coordinate with outside training centers on training plans for employees.
- Plan institutional relations and organize work inside the administrative division.
- Department of financial affairs
- The department of financial affairs is mainly responsible for managing the institution’s finances within the allocated budget.
- The department is subject to the regulating financial laws and procedures.
- The department sets a detailed financial bylaw for the institution comprising proceeds, contributions, salaries, compensations, salary deductions, etc.

Department of IT, programming, and technical support

The department is equipped with the most up-to-date communication tools, computers, servers, etc. to fulfill its optimal potential. The main role of this department is to facilitate and develop work inside the institution. These include:

- Link fatwa solicitors with ifta` personnel by means of cutting edge means of communication.
- Facilitate access to digital tools that assist researchers and fatwa practitioners in their work such as e-encyclopedias, e-books, e-libraries, library websites, and researches published on the internet.
- Link the various departments and divisions within the institution through a digital network to increase work efficacy and speed.
- Build and digitize a database for heritage fatwas.
- Make available modern technology for media purposes to communicate with other institutions and convey the institution's message on both the domestic and international levels.

Department of legal affairs

The department of legal affairs plays a supportive role within the organization. It helps to regulate the legal aspects of the institution and is responsible for protecting the running of the institution, safeguarding its public ownership, and ensuring it operates in compliance with applicable laws and regulations.

Functions

1. Conduct workplace investigations into violations that are referred to it.

2. Execute inspection plans.

3. Pleads all cases to which the institution is a party.

4. Assists in drafting the institution's internal rules and regulations.

5. Provides legal counsel and advice as well as reviews contracts and agreements.

Human Resources

The human resources department is a critical component in any institution or organization and includes the institution's most valuable resources, its employees. Among its many functions, the main purpose of the HR is find and recruit employees that advance the institution's objectives. Effective HR leadership enhances the overall performance of employees and productivity of the institution.

HR development

HR development is an important element because it helps create a competent workforce able to meet the institution's goals and mission. The aims and objectives of HR development programs include planning and designing development and training programs designed to develop employee skills, knowledge, capabilities, competencies, and potential. HR development ensures the institution's continued success.

Egypt's Dar al-Ifta: A case Study

There exist many examples of fatwa institutions that have reached the highest levels of sustained success in terms of both their mission achievement and organizational structure. Eminent examples of successful fatwa bodies are Egypt's Dar al-Ifta, The Fatwa Committee at the Noble Azhar, The Permanent Committee for Scholarly Research and Ifta` in Saudi Arabia, and The Fatwa Committee in Kuwait.

Egypt's Dar al-Ifta

Egypt's Dar al-Ifta performs several religious and legal functions.

Religious functions

1- Answering petitioners' questions in different languages

Egypt's Dar al-Ifta offers religious guidance in the form of answering petitioners' questions and fatwa requests in different mediums.

a- The first medium involves the petitioner coming to Dar al-Ifta and meeting a fatwa practitioner in person who records the petitioner's details and question and then proceeds to answer it. The answer is later fed into an information-storing program for future reference.

b- The second medium, the written fatwa, involves the petitioner requesting a fatwa through (i) visiting Dar al-Ifta and filling out a request form and receiving a written fatwa at an arranged date (ii) sending a fatwa request either through post mail, fax, or email via the Dar's official website. The petitioner's question is then sent to a fatwa practitioner via the institution's intranet system who would then answer it and send it to the concerned department who would then send it to the petitioner through the communicative medium by which it arrived.

c- Egypt's Dar al-Ifta offers phone services for domestic and international calls. Call center employees receive inbound calls, take the petitioners' details, and run them through the automated system. Callers would then be asked to leave their questions and given a secret number to access the answer within an hour. Questions are then transferred to a fatwa practitioner tasked with answering phone fatwa requests.

According to the latest statistics, the number of verbal, written, and phone fatwas issued by Egypt's Dar al-Ifta reaches approximately fifty thousand per month.

2- Issuing religious statements

Every once in a while, the Muslim community experiences certain circumstances and events that make it incumbent upon religious scholars to communicate decisive and conclusive opinions on contemporary issues that develop on the regional and international scene. The issued statements aim to prevent any attempt to misguide the people and plant doubts in their minds about the fundamentals of Islam and to eliminate the causes of dissonance and sedition in Muslim societies. Examples include the occupation of Muslim countries, problems encountered by Muslims in non-Muslim countries, slandering Muslim figures, the vicious bombings that terrorize people, and so forth.

Statements and press releases are issued in newspapers and on the Dar's website.

3- Conducting specialized scholarly researches

Egypt's Dar al-Ifta conducts Islamic legal researches on both newly emerging matters and others in an academic manner while expositing and discussing their proofs in detail. These researches serve to fill the gap in the field of research in Islamic legal sciences.

4- Refuting and answeing misconceptions about Islam

In view of the incessant vicious attacks leveled against Islam, it was incumbent upon Egypt's Dar al-Ifta to respond and refute misconceptions about the religion that provoke doubt in the people's religious beliefs and help in creating the myth mentality that Islam has sought to eradicate.

A team of researchers at the Dar are assigned the duty of collecting any misconceptions and formulating evidence-based answers.

5- Moon sighting to determine the beginning of the lunar months

One of the most well known functions of Dar al-Ifta is the determination of the beginning of the lunar months which are directly connected to religious occasions. Legislative and scientific committees comprising Islamic scholars alongside astronomers undertake this task.

Moonsighting is not limited to the months associated with certain legislated ritual worship such as Ramadan, Shawwal and Dhul-Hijjah, but extends to determining the beginning of all the lunar months thus avoiding any error in accurately determining the beginning of the three most important months for Muslims.

6- Training foreign students of ifta`

Egypt's Dar al-Ifta receives foreign students of Islamic legal sciences from the various Muslim countries who wish to train and receive the necessary skills and competence to issues fatwa, enabling them to practice ifta` in their own countries.

Towards this end, Egypt's Dar al-Ifta has approved a three year training program teaching the necessary subjects for ifta`; the course is taught by a group of instructors and professors from al-Azhar university.

Students attending the course are required to attend fatwa sessions under the supervision of fatwa practitioners and receive practical training in the skills of ifta` under the supervision of the training department at Egypt's Dar al-Ifta. Successful students receive a certificate attesting to their successful completion of the training course at Egypt's Dar al-Ifta.

7- Training and preparing muftis through distance learning

Egypt's Dar al-Ifta has established an E-learning center, the first of its kind in the field of ifta`. The Dar has designed curricula that are made accessible on the Dar's e-learning website.

Through this service, Egypt's Dar al-Ifta eliminates for students the stress and hassle of traveling for the purpose of attending the course. The e-learning program therefore enables students to gain the knowledge and skills needed to qualify them to practice ifta` in their own countries.

Legal functions

One of Dar al-Ifta's functions involves giving legal counsel to the relevant court on capital punishment cases. After deliberation and the court's unanimous decision to pass the death sentence on the defendant, the criminal court is obliged to refer the case to the Grand Mufti before the final sentencing.

When reviewing a case referred to him by the criminal court, the Grand Mufti carefully examines all documents related to the case. His job in this regard is to review the crime and the evidences in light of the evidential conditions and criteria laid down by Islamic law without adhering to a specific school of jurisprudence. In the existence of a scholarly difference, he chooses the opinion that best serves justice and benefits the society. Finally, he supports the death penalty only if he finds incontrovertible [condemning] legal evidence against the defendant.

Divisions and departments

1- The Fatwa Council

The Fatwa Council comprises senior scholars within Egypt's Dar al-Ifta. Dr. Ali Gomaa, the former Grand Mufti of Egypt, created the fatwa council during his tenure as Grand Mufti. Dr. Gomaa believed that the myriad changes and the emerging needs of the modern age called for the necessity of group ijtihad which has a stronger tendency to eliminate error than individual ijtihad.

The Grand Mufti heads the Fatwa Council

The Fatwa Council plays a role and function analogous to a comprehensive jurisprudential assembly in that it includes an elite group of scholars of Islamic sciences who are assisted in their work by Islamic legal researchers from the research department at the Dar.

Another of the Council's duties involves training selected candidates to join the Fatwa Council with a view to raising the scholarly competence of fatwa practitioners at Dar al-Ifta through practical training and ensuring the transference of ifta` experience to future generations of muftis.

Given the ever changing nature of the world we live in, Egypt's Dar al-Ifta with cooperation the Academy for Scientific Research signed several protocols with scientific and academic institutions such as The National Research Center, Ain Shams University, The National Library and Archives of Egypt, The Institute for Social Services, The Central Bank of Egypt and others. The protocols are designed to provide members of the Fatwa Council with the scientific expertise across a range of disciplines necessary for issuing scientifically based fatwas in touch with reality.

The Fatwa Council at Egypt's Dar al-Ifta comprises the following departments:

Department of verbal fatwa

For a verbal fatwa, a petitioner comes in person to meet a fatwa practitioner who will listen to the question and then proceed to take his/her details and answer the question. He will then load and store the question and answer into a database for browsing and retrieval for future reference. The daily incoming questions through this medium number approximately 300-400.

To ensure the highest degree of accuracy and precision in the fatwas it issues, the department of verbal fatwa has built a reciprocal relationship with other departments within the Dar wherein questions are transferred to the relevant departments according to their nature i.e. inheritance, legal calculations, divorce, etc.

Department of inheritance issues

This service requires the petitioner to come to Dar al-Ifta in person or commission another to come in his/her stead with an authorized power of attorney and submit a signed request. The department also provides its services to the courts, public prosecution offices, and the various institutions and organizations.

Sometimes, fatwa requests to this department are sent by postal mail, whether regular, express or first class to the Dar's headquarters. In other instances, the requests are sent by fax, phone, or email. Whatever the means, the answer is sent to the petitioner via the same means it came by.

Department of written fatwas

As with the verbal fatwas, a petitioner must come to the headquarters of Egypt's Dar al-Ifta to receive a written fatwa. A petitioner either comes in person and submits a signed request or sends another with an authorized power of attorney attached with an identification photo.

Alternatively, a petitioner may send his/her request by postal mail, e-mail, or fax.

Incoming requests to this department are not limited to requests from private individuals but include written requests from courts, public prosecution offices, and the various institutions and organizations. Certain fatwa requests are sometimes addressed to the Dar's general manager or to the Grand Mufti himself.

Department of e-fatwas

To obtain a fatwa through this means, a petitioner accesses the Dar's website and proceeds to the 'fatwa request' section where he will type in the subject matter of his/her question (i.e. prayers, pilgrimage, marriage, divorce, etc.), email, and then the question itself. After pressing the 'send' button, the petitioner will receive a secret number by which h/she will be able to access the answer within an hour either in the 'retrieve answer' section or in his/her email.

The department of written fatwa receives approximately 500-600 questions on a daily basis.

Department of phone fatwa

Egypt's Dar al-Ifta answers requests for fatwa over the phone to further facilitate its services to fatwa solicitors either locally or globally. An inbound call is made by a fatwa solicitor and is received by a call center agent of the facility who will guide the caller through the steps to follow. Answers are retrieved within an hour of submitting the question.

The number of calls fielded by the call center agents on a daily basis ranges from 1000 to 1100.

Department of Islamic legal Calculations

In its mission to meet the material needs of the people both inside and outside Egypt, offer moral and religious guidance, and fulfill its objectives stemming from its pioneering and institutional role, Egypt's Dar al-Ifta has created its new department of Islamic legal calculations which is the first of its kind in the history of Egyptian religious institutions.

The department comprises a group of experts specializing in Islamic legal sciences and economics and is dedicated to providing answers to all issues involving calculations, whether they are related to financial transactions, zakat, estate divisions, bequests, alimony, division of jointly owned property, blood money, etc.

The importance of this department to the interests among individuals and institutions cannot be understated. The complexities brought about by modern life, especially in all kinds of financial interactions, has created a pressing need for the creation of a department dedicated to Islamic legal calculations to act as a reliable and specialized body capable of giving guidance regarding issues that might otherwise lead to disputes and for which there are few qualified experts.

The department offers the following services:

- Conducting researches and studies to increase the level of knowledge on the various issues addressed by the department and presenting new ideas and solutions that can be applied to them.
- Issuing verbal and written fatwas for both natural and legal persons including companies, institutions and organizations, and governments.
- Providing counsel and answering inquiries related to modern financial transactions.
- Drafting new contracts, systems, and new formulations for transactions for individuals, organizations, institutions, and governments.
- Providing specialized training programs.
- Assisting individuals, institutions, and organizations to calculate their zakat.
- Focusing on endowments and the means of developing them, and assisting individuals choose the type of endowment that is most suitable for them.
- Assisting individuals prepare their wills and bequests.
- Issuing publications on zakat and endowments to guide and raise public awareness of both individuals and institutions to establish and develop zakat and endowment funds and the deserving recipients.

The department of Shari’ah researches

This research center employs a number of researchers specialized in Islamic legal sciences assigned to conduct researches and research oriented fatwas in keeping pace with the ceaseless developments in our modern world that give rise to new and unprecedented issues and challenges. In light of this, it was necessary to conduct in-depth researches to produce new thinking and legal determinations that address current issues or those whose rulings have changed in accordance to time, place, circumstances, and individuals within the framework of Islamic law and its objectives.

• The training department

The training department offers a variety of programs as follows:

- Providing high level training

In view of the current challenges and crises facing the global community of Muslims, Egypt’s Dar al-Ifta has determined to undertake its duty of the times and avail the needed training for enhancing da’wah performance by increasing trainees’ awareness and understanding of the current lived reality and its accompanying problems and needs.

- Training foreign students

In its capacity as the oldest fatwa institution with the most experience, Egypt’s Dar al-Ifta offers training programs in the craft of fatwa making to foreign students.

• E-learning department

• Egypt’s Dar al-Ifta has created an e-learning department, probably the first of its kind, assigned to train students in the science of ifta` through specially designed curricula that are converted into electronic courses and made available on the Dar’s e-learning website. The program avails a precious chance to students based outside the Egyptian capital to access materials and resources through new technologies, allowing them to develop the necessary skills and instincts for ifta` and readying them to uphold their future role as muftis.

Stemming from its role as a religious reference for clarifying legal rulings, the department will offer a new service to enhance communication with other institutions that seek to benefit from Dar al-Ifta's rich experience in Islamic scholarship and education. The program aims to establish a constructive scholarly liaison between fatwa institutions in an attempt to curb the current state of fatwa chaos. Through this program, Dar al-Ifta seeks to the following:

(i) -Establish means of communication with all those who wishing to undertake ifta` and gain scholarly support and counsel.

(ii) -Provide those who wish to practice ifta` with the necessary knowledge to acquire an awareness and develop the ability to analyze current phenomena.

(iii) - Open a portal for constructive discussions on controversial issues with the aim of reaching a well-balanced vision and eliminate any negativities such as hasty fatwas.

(iv) -Explore the different methods of issuing and formulating fatwas. The aim is to choose the most appropriate manner in terms of clarity and accuracy.

(v) -Establish an authoritative research methodology for the process of fatwa making.

(vi) -Create a network to connect all muftis at Egypt's Dar al-Ifta' al-Missiryyah with the rest of jurisprudential assemblies with the purpose of exchanging expertise in dealing with current issues.

• Department of revision and linguistic accuracy

With a view to preserving its fatwa heritage since its inception until present, Egypt's Dar al-Ifta decided to create a department devoted to archiving more than 100, 000 fatwas. After making the necessary revisions and linguistic corrections, Dar al-Ifta has digitized and catalogued this enormous and extensive fatwa collection for greater benefit and easier recall.

Egypt's Dar al-Ifta has furthermore published a selected numbers of fatwas from its records in 23 volumes with a number of others still under publication.

The department also revises and makes linguistic corrections to all of its researches including those published in the journal of Dar al-Ifta as well as to all content published on the Dar's website and by the media center.

• Department of publications

Following its aim to satisfy the needs of the Muslim community at home and abroad, Egypt's Dar al-Ifta has created a new department, the department of publications, comprising the following:

(i)- The journal of Dar al-Ifta.

(ii)- The archives.

(iii)- The Dar's library.

• The media center

The media center at Egypt's Dar al-Ifta was created with the aim of conveying the Dar's message to the entire community of Muslims in addition to building media relations with other national and international institutions. The aims of the media center include:

(i)- Following national and international media.

(ii)- Promoting the role it plays.

(iii)- Effectively conveying the messages of Egypt's Dar al-Ifta.

• Website department

The website of Egypt's Dar al-Ifta is a service oriented website created to meet the highest standards of technological development for the advancement of ifta`. The website also caters to the ever-increasing number of inquiries and strives to preserve the accuracy and fundamental process required to produce a sound fatwa with the aim of preventing fatwa chaos perpetrated by pseudo-scholars.

• **Translation department**

The remarkable advances in the technological field and means of communication have led to an unprecedented increase in the volume and scope of idea and information exchange and in the speed of their dissemination. This consequently has had a great impact in the dissemination of fatwas and the emergence of what is known as e-fatwas. Despite the advantages of e-fatwas, implementing this technology in ifta` has presented some challenges. For instances fatwa chaos and confusion have become so prevalent that Egypt's Dar al-Ifta found it imperative to regulate the process of fatwa making and create a department to translate regulated fatwas. The translation department comprises professional translators in different languages with each team headed by an expert who may be a native speaker in order to capture the idioms and nuances of the native tongue.

• **IT department**

The primary function of the IT department is to create, update, and maintain the technological infrastructure and computerize all facets of the institution. Towards this end, Dar al-Ifta has provided the department with the latest software, hardware, and servers. Moreover, the department has created a network connecting the Dar with its branches, the internet, and electronic sources of information. In addition, the department offers technical support to all other departments. The IT department comprises the following:

(i)- Computer program development unit.

(ii)- Network and technical support unit.

(iii)- The call center.

• **Department of legal affairs**

The department of legal affairs at Egypt's Dar al-Ifta is a relatively new department. It came into being in 2008 following Dar al-Ifta's administrative and financial independence from the Ministry of Justice. The department plays a supporting function to the institution as a whole and is mainly responsible for ensuring that the institution's entire operational process complies with the applicable laws and regulations and safeguarding its public ownership.

The department also conducts investigations within its remit into any violations that are referred to it, executes inspection plans, pleads all cases to which the institution is a party, and provides the Egyptian State Lawsuit Authority with documents and reports. In addition, the department assists in drafting the institution's internal rules and regulations, reviews contract texts and agreements and provides the necessary legal advice to ensure their compliance with the applicable laws and executive regulations, and provides advice on any fatwa involving any legal issues.

• Department of financial affairs

The department is responsible for managing the institution's financial resources within the allocated budget by the government to ensure that all the institution's needs are met.

The department is subject to the operative rules and regulations of the Central Agency for Organizations and Administration, the General Authority for Government Services, local administration units, and to the Dar al-Ifta's financial Bylaws and regulations.

• Department of administrative affairs

The main function of this department is to manage the institution's effective interdepartmental and interinstitutional relationships which include:

- Providing administrative support to the institution's various divisions.
- Providing technical support to the institution's various divisions.
- Providing coordination and assistive services.
- Publishing the state's administrative laws and regulations.
- Coordinating administrative and technical insurance processes with external divisions.
- Coordinating training programs for employees within the institution with external training centers.
- Designing effective institutional relationships and organizing work within the administrative division.

Capital punishment cases

In its capacity as an advisory body for the courts on capital punishment cases, Egypt's Dar al-Ifta has adopted a bunch of relative procedures. When a case is referred to Dar al-Ifta, all related documents and papers related to the case are carefully reviewed in detail. The final report measures the case and evidences against Shari'ah considerations without adhering to a specific school of jurisprudence, but rather to the opinion that best serves justice and the interest of society. The report is attached to the case documents in a sealed and stamped envelope and delivered to the concerned court.

Branches of Egypt's Dar al-Ifta

The headquarters of Egypt's Dar al-Ifta is located in Cairo with offices in Alexandria and Asyut.

The Science of Fatwa Making

A proposed Draft for an International Fatwa Charter

Introduction

The international conference of Fatwa Authorities Worldwide titled "The Role of Fatwa in Creating a Stable Society" was held from 17-19 October 2017 in Cairo. The conference issued a number of recommendations and initiatives that included, inter alia, a behest to expedite the drawing up of an international fatwa charter for delineating fatwa guiding principles and the optimal procedures for dealing with fatwa aberrations and deviances. It also calls upon fatwa bodies worldwide to abide by the provisions enshrined in this Charter.

The concerned committees at the General Secretariat for Fatwa Authorities Worldwide immediately set out to bring these recommendations into effect, resulting in the following document comprising this introduction, preamble, and six chapters.

Preamble

We, the General Secretariat for Fatwa Authorities Worldwide, declare the issuance of The International Fatwa Charter and commit ourselves to recognize:

- That ifta` by means of this Charter, shall be one of the ways of solving societal problems and shall not be intrinsic to them.
- That this Charter, by way of ifta` shall contribute to the achievement of the social and psychological stability of societies and be a true groundwork for the contribution of fatwa towards the development and prosperity of societies.
- That this Charter shall constitute a safe exit from the state of fatwa chaos.
- That this Charter shall act as an assistive guide in the various social, legal, educational, and media fields.
- That this Charter shall serve to support wise ifta` and counteract any aberrations in fatwa.

Chapter I

Governing Values

This Charter, formulated to regulate ifta` worldwide, is borne out of the articulation of a group of fundamental values enshrined in its provisions and articles governing the process of ifta` both as a discipline and as a profession.

Recognizing the holistic system of values and their precedence order based on circumstantial, temporal, locational, and individualistic contexts, this Charter draws upon the below mentioned values.

Mercy

Mercy is the key value intrinsic to all prophetic duties from which scholars, the prophets' inheritors, derive their responsibilities. God the Almighty says, "And We have not sent you [O Muhammad], except as a mercy to the worlds (Qur'an 21:107). Consequently, the relationship between the mufti and the mustafti and the mufti and all other aspects of ifta` is based on mercy.

Responsibility and Trust

Responsibility denotes commissioning certain actions and acknowledging accountability for them before others. This responsibility involves a dyadic relationship between the doer of the actions and the judger of these actions. Responsibility is primarily an innate predisposition—it is the ability of man to first commit himself to something and then to meet that commitment through personal effort.

The venerable Islamic Law has decreed that man, including muftis and mustaftis, carry responsibility and the trust that God has entrusted them with. God Almighty says: "Then did you think that We created you in vain and that to Us you would not be returned?" (Qur'an 23:115), "Does man think that he will be left to wander without an aim?" (Qur'an 75:36), and "Indeed, we offered the Trust to the heavens and the earth and the mountains, and they declined to bear it and feared it; but man [undertook to] bear it. Indeed, he was unjust and ignorant" (Qur'an 33: 72-3).

This Charter takes into account responsibility and trust in reference to the necessity of promoting a culture of wise fatwa solicitation and issuance.

Appreciating Knowledge and Scholars

The value of knowledge is operative in the entirety of Islamic law for God says, "God witnesses that there is no deity except Him, and [so do] the angels and those of knowledge—[that He is] maintaining [creation] in justice. There is no deity except Him, the Exalted in Might, the Wise" (Qur'an 3:18), "… those of His servants only who are possessed of knowledge fear God" (Qur'an 35:28), and "Are those who know equal to those who do not know?" (Qur'an 39:9).

God the Almighty has raised the ranks of scholars. He says, "God will raise those who have believed among you and those who were given knowledge, by degrees. And God is Acquainted with what you do" (Qur'an 58:11).

Recourse to scholars is one of the means to attaining stability as is evident in the words of God Almighty Who says, "And when there comes to them a matter, be it of security or fear, they broadcast it. But if they had referred

it back to the Messenger or to those charged with authority among them, those of them whose task it is to investigate would have known the matter. And if not for the favor of God upon you and His mercy, you would have followed Satan, except for a few" (Qur'an 4:83).

Emanating from this value is respect and reverence to authoritative scholars as well as to scholarly institutions, protecting the honor of authoritative scholars and scholarly institutions, and pursuing a scholarly methodology in all aspects of ifta` in both knowledge and application.

Specialization

Islamic law invites us to uphold this value for God Almighty says, "Nor should the believers all go forth together: if a contingent from every expedition remained behind, they could devote themselves to studies in religion, and admonish the people when they return to them,-that thus they (may learn) to guard themselves (against evil)" (Qur'an 9:122). He also says, "… so ask about Him one well informed" (Qur'an 25:59) and "And none can inform you like Him Who is Acquainted [with all matters]" (Qur'an 35:14).

In every discipline, there are specialists whom God the Almighty has commanded us to consult. He says, "Ask the people who have knowledge if you do not know" (Qur'an 16:43).

The value of specialization is manifest in various places in this document. These include, inter alia:

- Considering ifta` an independent discipline and a specialized profession.
- Continuous advocacy for the integration of the various disciplines that minister to contemporary ifta`.
- Determining the amount of knowledge to be acquired of these disciplines.
- Training fatwa scholars and students across the world to seek scholarly cooperation with other specialties.

Teamwork

The most righteous person is the one who seeks help and offers a helping hand to others when needed. As for knowledge, it brings scholars together; God Almighty says, "And cooperate in righteousness and piety, but do not cooperate in sin and aggression. And fear God; indeed God is severe in punishment" (Qur'an 5:2).

Only through teamwork and collective action can we achieve positive and effective participation, improving both individual and institutional performance, to achieve the Islamic legal, national, and human objectives.

Throughout this document, where reference is made to this value, it is actually a call to engage in group ijtihad and to establish fatwa authorities that engage in this process. Teamwork and group communication in the context of ifta` has created concentrated attention on the unprecedented issues and challenges raised by the needs of our times, an example being the jurisprudence of minorities.

Supporting Peaceful Coexistence

Coexisting with all factions of society is appreciated as a value to be aspired to. Our current living context imposes upon us the duty to cooperate on commonalities, ignore differences, and shun fighting. This is likewise encouraged by Islamic law. God Almighty says, "… and do not dispute with each other lest you lose heart and your strength depart" (Qur'an 8:46) and "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of God is the most pious of you. Indeed, God is Knowing and Acquainted" (Qur'an 49:13).

Peaceful coexistence as enshrined in this document ensures respecting domestic laws and the international covenants and treaties signed by the states to which the fatwa institutions are affiliated in support of peaceful domestic and international coexistence.

Committing to Moderation

Moderation is the key feature of Islam and Islamic law, established by the Qur'an in the words of God Almighty, "Thus We have appointed you a middle nation, that you may be witness against mankind, and that the Messenger may be a witness against you. And We appointed the qiblah which you formerly observed only that We might know him who followed the Messenger from him who turned on his heels. In truth, it was a hard test save for those whom God guided. But it was not God's purpose that your faith should be in vain, for God is full of kindness, Merciful toward mankind" (Qur'an 2:143).

Scholars have incorporated this feature in fatwa. Al-Shatibi (may God have mercy on him) said, "The competent mufti of the highest caliber is the one who sways the people to the natural middle path which is [the most] appropriate for the masses—he neither inclines them to extremism nor to the excesses of liberalism" (Al-Muwafaqat 4/258).

Some forms of moderation include facilitation, offering assurance, and protecting interests, all of which are vital to the application of mercy and its urgency.

Protecting the Identity

By this, we mean preserving the spheres of integrated belonging. It is our belief that a Muslim, wherever he is, is invariably a valuable part of a web of integrated belonging. This is reflected in the provisions of ifta` relative to the locational, cultural, racial, and conventional differences enshrined in this document.

Respecting Confidentiality

This denotes the privacy of mustaftis such that confidentiality of information and communication between the mufti and mustafti is guaranteed. A Prophetic tradition states, "Whoever fulfills the needs of his brother, God will fulfill his needs, and whoever relieves a Muslim of some worldly hardship, God will relieve him of a hardship on the Day of Judgment, and whoever conceals the faults of a Muslims, God will conceal his faults on the Day of Judgment" (Bukhari and Muslim).

Encouraging Ijtihad and Renewal

This original value stems from Islamic law's appeal to allow ifta to play a dynamic role in the solution of problems encountered by Muslims and people in general.

Ijtihad is closely connected to the desired renewal of religious discourse that includes renewal of content and of the means of presenting texts, concepts, and other elements of religious discourse.

The condition set by some scholars for a mufti to attain the level of ijtihad evinces the close correlation between the concepts of 'ijtihad' and 'fatwa'. Ijthad is one of the concepts that are central to the fatwa process. One of the differences underlying the two concepts is that the scope of ijtihad is confined to speculative proofs while ifta is open to both speculative and definitive proofs. Another difference is that ijtihad is realized when the jurist deduces a ruling on a particular issue while ifta` is not accomplished until the ruling is communicated to the mustafti.

Efficiency and Perfection

Excellence and perfection are religious duties and indispensable to proficiency and professionalism. God the Almighty ascribes to Himself the attribute of perfection in His words, "It is He Who created everything in the best manner and began the creation of man from clay" (Qur'an 32:7) while the Prophet (peace and blessings be upon him) said, "God the Almighty has enjoined excellence in everything [you do]" (Muslim). The Prophet (peace and blessings be upon him) praised those who adhere to these traits in a hadith narrated by Anas Ibn Malik who reported that the Messenger (peace and blessings be upon him) said, "No Muslim plants a tree or plant of which a bird, man, or animal eats thereof, except that it is counted as a charity for him" (Bukhari and Muslim).

This document advocates for upholding this value that is enshrined in its articles and provisions.

Flexibility

Because a legal fatwa deals with concerns related to different circumstances and contexts, it must demonstrate flexibility. This document takes into account the change in fatwa in accordance with changes in the aspects that are subject to change.

Chapter Two

Regulating Concepts

By this, we mean establishing the precise definition of some terms and concepts mentioned in this document.

Fatwa

Bringing to bear a legal ruling arrived at through scholarly ijtihad on the private and public actions of Muslims who meet the conditions of legal accountability.

Mufti

A person employed in the various fatwa authorities and the various channels of ifta` to issue fatwas.

Ifta and Ra`y

-ifta` denotes clarifying the legal ruling for a particular issue or point of concern.

According to this understanding, ifta` is different from fatwa expressing an opinion on matters that are of either public or private concern. ifta` is moreover different from an opinion expressed on matters of law by an individual who does not claim to be a signatory on behalf of God (i.e. expressing the ruling of God). A fatwa, on the other hand, is the signature of God, the Lord of the worlds.

Sound and Aberrant Fatwas

- A sound fatwa merges between the consideration of legal texts, whether universal or particular in import, with the general objectives of Islamic law i.e. those objectives that regulate and preserve human rights.
- An aberrant fatwa is that which is inconsistent with the sound criteria of fatwa such that it violates the honor bestowed upon mankind, violates the public order or shared ethical values, encourages familial and societal disruption, and undermines national and international stability. Aberrant fatwas also include those that undermine peaceful coexistence and incite hatred.

Ijtihad

The various stages of ifta` are not considered an articulation in the name of God nor are they hegemonic.

It is only possible to renew the process of ifta` by adhering to institutional and group ifta, especially on issues of public concern.

- A mufti is only capable of exercising ijtihad when he acquires comprehensive knowledge of the legal texts, is acquainted with the lived reality of the people, applies textual evidence to the context, or implements and adapts the fatwa of other muftis to a particular case.
- In religio-legal parlance, ijtihad means the utmost exertion of effort made by a jurist or mufti to arrive at a conjectural legal ruling.
- Ijtihad is not merely the exercise of intellectual faculties even in the absence of scholarly tools nor is it synonymous with unlimited creativity. Ijtihad is a complex process that requires an awareness of reality, a solid understanding of legal texts and a diligent application of legal texts to the lived realities of the people.
- The gate of ijtihad, in the above sense, has not been closed and remains open before every scholar who meets the requisite conditions and has the above-mentioned aptitude required for ijtihad.
- Ijtihad is a religious duty for which a mujtahid is rewarded. Aby Qays, the servant of Amr Ibn al-As narrated through Amr Ibn al-As that the Prophet (peace and blessings be upon him) said, “If a hakim (ruler or mujtahid) exercises ijtihad and arrives at the correct ruling, he receives a twofold reward and if he errs he receives one reward.”This demonstrates that God rewards the mujtahid for his ijtihad in either case.

- Ijtihad is not only a value but also a collective obligation. Consequently, Muslims are duty bound to infer rulings from the detailed evidences in the sources for newly emerging matters.
- Ijtihad is an obligation upon a qualified mujtahid in the event he is asked about a case that has occurred and there is no one else except him to address it and when he fears the inquirer may pose his inquiry to an incompetent individual.

Chapter Three

Cultivating Sound ifta`

Muslim scholars of religion have placed great emphasis on what they call "the etiquette of the mufti and mustafti" and God the Almighty impressed the importance of morals, ethics, and values in the realm of religion. Values make up three thirds of Islam while all other aspects make up the remaining one third. With the aim of worshipping God the Almighty, administering the earth, and purifying the self, we can use this as a catalyst to cultivate sound ifta` with respect to both the mufti, mustafti, and their associated spheres while taking into account temporal variables. This may also be used as an underlying base for what is called 'the ethics and etiquette of the profession'. The present Charter details the articles that deal with the social, psychological, end educational aspects of this domain.

Chapter Four

Preparing Muftis and the Required Qualifications

- ifta` is a discipline that has both an intellectual and skill aspect. In other words, it comprises knowledge, training, and moral ethics.
- Fatwa differs from the rest of Islamic legal specialties, as well as from the natural, human, and social sciences. Fatwa is based mainly on the application of religio-legal rulings on human actions.
- Central to renewing the sphere of ifta` is rethinking both the methods of preparing muftis for every age and the necessary qualifications. Scientific observation suggests that scholarship and skill in ifta revolve around three aspects without which contemporary ifta` is unsound except for those who have submitted to study, training, and practice.

(i) The religio-legal aspect: This includes all of the religio-legal aspects and knowledge of the disciplines that minister to ifta` and training in their application.

(ii) The social and human aspect: This includes acquiring considerable knowledge of contemporary human and social sciences and their earlier foundations. The mufti must have had considerable practice and training in the point in question.

(iii) The natural sciences: A mufti is required to have considerable knowledge of the natural sciences which he may achieve by reaching out to experts.

Contemporary renewal by which we mean enacting regulations and ending fatwa chaos, involves establishing academies and institutions providing studies in the above aspects and training in their implementation. Simultaneously, students of these institutions must adopt a moderate approach and continue to pursue their studies and receive them firsthand from experts in these fields.

Chapter Five

The State of ifta`

Fatwa and Public Affairs

- By public affairs we mean the affairs that are of concern to mustaftis in general, especially those related to social relations and which are firmly tied to what is known in Islamic law as collective obligations.
- The informed engagement in public affairs is one of the hallmarks of sound ifta`.
- The engagement of sound ifta` in public affairs is one of the means for self-purification and development.
- Fatwa, when it operates in the public sphere, is subject to specificities and sensibilities since it affects the welfare of the public as well as national and global security.
- Group fatwa, issued by accredited institutions and which takes into account laws and public order, is more valid in reference to matters of public concern.

Fatwa and the Media

- By the media, we mean any medium that disseminates information and truth to the public, whether print, audio, or visual.
- Included under media are the new means of communications made available by cyberspace.
- The mufti and media professionals are both concerned with conveying messages to the public in a sound and conspicuous manner.
- The mufti and media professional are both governed by professional ethics and codes of honor to which recourse is made.
- Visual, audio, and print media muftis must receive training in audience attraction and in mastering media skills.
- Cyberspace is a new domain of communication that mandates renewing our attitude towards the various media disseminating fatwas.
- The dissemination of fatwas through the various media channels requires special knowledge and training.

Chapter Six

Articles

Article 1

Everything mentioned in the introduction, preamble, and the preceding five chapters form an integral part of this Charter.

Article 2

This Charter shall address anyone who are interested in the fatwa genre, whether researchers, academic institutions, international organizations, non-governmental organizations, and the media.

Article 3

This Charter shall address the human and professional conscience of all those interested in the fatwa genre and commits states, individuals, and authorities, to resolve its content into laws, procedures, and penalties pursuant to the relevant legal systems.

Article 4

After consultation and planning, the General Secretariat for Fatwa Authorities Worldwide shall be entrusted with the task of coordinating communication between the various bodies associated with ifta` including international fiqh councils, the various media, and specialized research centers to bring this charter into force.

Article 5

This Charter shall invite everyone to respect our human commonalities and respect cultural particulars and international conventions, treaties, and domestic laws as referential.

Article 6

This Charter shall invite all qualified muftis to cooperate in performing their duty and issue sound professional fatwas.

Article 7

We invite states and the concerned bodies to renounce every fatwa body or organization that incites to hatred, racism, violence or exploits the institution of fatwa for partisan purposes.

Article 8

We invite states and the concerned bodies to cooperate in thwarting the efforts of individuals, non-governmental organizations, etc. issuing aberrant fatwas.

Article 9

We invite states and their legislative authorities to expedite the enactment of the laws and legislations necessary to promote sound ifta and to fight aberrant fatwas.

Article 10

The recommendations and decisions of the authoritative Islamic fiqh councils and Islamic authorities, foremost of which is the noble Azhar; the recommendations of the conferences of the General Secretariat of Fatwa Authorities Worldwide; and the provisions of the Cairo Declaration shall serve as guiding documents for this Charter.

Article 11

Responsible freedom shall be guaranteed in the areas of belief, thought, and opinion without attributing them to the rulings of Islamic law.

Article 12

The group ijtihad of authoritative institutions on matters of public concern shall be the most binding and accurate.

Article 13

Fatwa shall be a joint responsibility between the mufti, mustafti and the related domains.

Article 14

The process of ifta` shall be primarily based on mutual trust between the mufti and the mustafti and on freedom from blame unless proven otherwise.

Article 15

Solicitation of fatwa expresses the mustafti's urgent psychological and social need; this shall be a duty owed by the mufti to the mustafti.

Article 16

Only those who possess the necessary scholarly, psychological, and religious qualifications; a license; or an accredited certificate to practice ifta` shall undertake to issue fatwas.

Whoever possesses the above qualifications shall apply for a license to practice ifta` from the concerned bodies.

Article 17

Taking into account different cultural contexts, the individual who undertakes to issue fatwas shall enjoy good morals and conduct and maintain an appearance appropriate for the position of a mufti.

Article 18

A mufti's license to practice ifta` shall be void in the event he is found guilty of an indictable offence or of jeopardizing national or international security.

Article 19

The mufti shall rectify his heart and mind, and remember that through ifta` he is acting on behalf of the Prophet (peace and blessings be upon him) in clarifying Islamic law and reviving the practical implementation of the teachings of the Qur'an and Sunnah, thereby rectifying the affairs of the people. The mufti shall likewise resist evil inclinations to pomposity and self-righteousness.

Article 20

The mufti shall maintain honesty and truthfulness with himslef and others, practice what he preaches because people may be influenced by his actions, and conceal and repent from any transgression.

Article 21

The mufti shall maintain a good appearance at all times, simplicity of style, and enhance his physical and mental refinement.

Article 22

The mufti shall cease to issue fatwas in the event that he suffers from a condition that may impair his professional performance and the concerned bodies shall prevent him from ifta` when necessary.

Article 23

The mufti shall consult and cooperate with individual specialists or institutions without compromising the privacy of the mustafti while adhering to the principles of research and debate.

Article 24

The mufti shall maintain the privacy and confidentiality of information obtained from the mustafti and shall not divulge information obtained in the course of his duties unless for an overwhelming necessity while adhering to ethical and legal regulations.

Article 25

The mufti shall formulate the fatwa and communicate it to the mustafti according to his/her level of proficiency and understanding while observing scholarly regulations.

Article 26

The mufti shall refrain from issuing fatwas on matters on which he does not have sufficient information or which may cause real or potential harm to an individual, the public, or to a legal entity. No fatwa shall be issued with reference to cases of litigation.

Article 27

No fatwa shall be issued concerning a lawsuit except if the court refers the case to the mufti or to a fatwa body.

Article 28

The mufti shall advise, to the extent of his abilities, the mustafti on what is in his/her best interest and provide him with legal and ethical alternatives if the fatwa he issues prohibits or forbids the mustafti from something he/she needs. This includes advising the mustafti to consult the concerned specialists and experts for advice concerning these alternatives.

Article 29

The mufti shall briefly explain to the mustafti the operative cause of the fatwa ruling without diverging from the standards of ifta` or violating its bylaws.

Article 30

The mufti shall instruct the mustafti to solicit fatwas only on what benefits him/her at both the public and private levels, advise him/her to ask alternative questions, and refine his/her concerns.

Article 31

The mufti shall give assurance to mustaftis and adopt facilitation as fundamental to ifta` and to his interaction with the mustafti. He shall also regard intimidation and admonition as exceptions except for a considered necessity or need.

Article 32

The mufti shall profit from accredited opinions within the vast realm of Islamic jurisprudence, abstain from partisanship to a particular school of jurisprudence, and keep in mind the objectives of Islamic law and public and individual interests. The mufti shall convey the image of Islam in a favorable and conspicuous manner.

Article 33

The mufti shall inform the mustafti that a fatwa is a complex process involving a synergy between the understanding of legal texts, the understanding of reality, the objectives of Islamic law, and interests.

Article 34

The mufti shall enlighten the mustafti to be fair to himself and to be prepared to accept the fatwas issued by fatwa specialists.

Article 35

The mufti shall explain to the mustafti to solicit a fatwa for the sake of learning and inquiring about religious and mundane matters and instruct him to refrain from asking nagging and incessant questions.

Article 36

With regard to family issues, the mufti shall advise the mustafti to recount only the necessary details and give the relevant background information that will help the mufti issue the correct ruling.

Article 37

Certain questions require the personal presence of the inquirer and it is insufficient to send someone else in his stead. Such questions include questions on divorce for which the mufti needs to ask about the exact words used, the husband's intention, the surrounding circumstances and so forth of information on which he will base his fatwa. When a husband pronounces words effecting divorce, only he is charged with the responsibility of inquiring about the ruling on it.

Article 38

The mufti shall inform the mustafti that a fatwa does not make the unlawful lawful nor make the lawful unlawful. A fatwa is issued based on the face-value of the question and only God Almighty knows what the hearts conceal.

Article 39

The mufti shall explain to the mustafti that he is to provide thim with the exact details of the case in question.

Article 40

The mufti shall explain to the mustafti that he is to help him fulfill the scholarly parameters and stages of fatwa. The mufti shall also explain to him that speed in issuing a fatwa does not always reflect proficiency nor does deliberateness reflect a deficiency. It is better for a mufti to be unhurried when issuing a fatwa than to be hasty and err.

Article 41

The mufti shall explain to the mustafti that he is not entitled to ask for the legal evidence on which the mustafti based his ruling. It is not the mufti's duty to make lengthy substantiations for he is issuing a fatwa, not teaching.

Article 42

The mufti shall inform the mustafti not to harbor doubts and misgivings and warn him against seeking a fatwa for the same issue from multiple muftis for the sake of certitude and assurance, even if they are qualified.

Article 43

For the layman, differences of scholarly opinions of authoritative muftis are a disagreement of variance based on mercy and latitude not on division and hardship. As long as the differences fall within the framework of sound religious reference, the matter is capacious.

Article 44

The mufti shall inform the mustafti that he does not demand him or any other mustafti to follow the stricter ruling by way of greater precaution since the scope of religious precautiousness is greater than that of juristic rulings and even than that of the lawful and the prohibited. This is because a Muslim may leave out many lawful matters, this being more precautionary. It is not permissible for a Muslim to deal with speculative matters over which there is differences of scholarly opinion in the same manner as he deals with the definitive matters over which there is a consensus.

Article 45

The concerned bodies shall be charged with teaching students the principles of ifta` training them to develop the required skills, and giving them licenses to practice ifta`.

Article 46

The concerned bodies shall design a practical ifta` curriculum and training that balances an integrated knowledge of Islamic legal sciences, the humanities, and social sciences with the practical aspect of training while cultivating students with a substantial degree of knowledge on sound ifta`.

Article 47

The mufti who issues fatwas of public concern in any ifta` medium shall fully comply with the laws and decisions of major assemblies. The concerned bodies shall disseminate these decisions and provide the relevant training and scholarly research.

Article 48

All professionals and specialists in fatwa and other disciplines shall submit their individual initiatives expressing individual opinions to research institutions for scholarly discussion after which they are submitted to major scholarly assemblies.

Article 49

The major authorities and assemblies shall expedite to issue fatwas that are of concern to the general public and disseminate them through the various media outlets for easy accessibility without violating laws and public order.

Article 50

Media muftis shall abide by the above.

Article 51

The media mufti shall be one who has received certification and authorization to practice ifta` from a specialized body. He shall enjoy a good personal and scholarly reputation that qualifies him for ifta`.

Article 52

The media mufti shall be one who has received special training in dealing with the various media means.

Article 53

The media mufti shall cooperate in reviving the culture of deliberation on matters in which he is not proficient. He shall not shirk from saying he does not know the answer as this is superior to issuing a fatwa without knowledge and better than misleading the mustafti.

Article 54

The mufti who appears on satellite channels shall refer the following to fatwa authorities:

- Fatwas concerning personal status and every fatwa that requires detailed research.
- Fatwas whose public announcement may harm public and private morality and sensitivities.
- Fatwas pertaining to the privacy of the inquirer or another or fatwas that mention the inquirer's name or tarnish his honor.

Article 55

The mufti who appears on satellite channels shall not defame and vilify institutions, authorities, or private and legal persons and shall ensure that the message of fatwa is informative to everyone.

Article 56

The mufti shall choose from among the vast body of Islamic jurisprudence the opinion that best serves public or private interests without confusing the inquirer. He shall not resort to choosing aberrant scholarly opinions and fatwas.

Article 57

The mufti who appears on satellite channels shall adapt language that best communicates his message in a receptive and impactful way and shall avoid using words and expressions that may create doubt and confusion in the minds of viewers.

Article 58

The mufti who appears on satellite channels shall choose the fatwas that encourage peaceful national and human coexistence and shall abstain from promulgating fatwas that create sectarian tension, even in the existence of a historical precedence, for a fatwa may not be suitable for every age and time.

Article 59

The mufti shall always be mindful of the religious, national, and human holistic dimensions of interests without indulging the public or paying attention to viewer ratings.

Article 60

The mufti who appears on satellite channels shall be subject to investigation and accountability by the referring authority in the event he is charged with an infraction and the public and media shall be informed of the investigation results.

Article 61

The mufti who appears in the media shall help mustaftis understand the ethics of media fatwa.

Article 62

The media shall cooperate to facilitate the public's access to moderate fatwas and guarantee meeting the media message requirements and the mufti shall follow up on this.

Article 63

The management of the hosting channels and their teams shall not raise questions that may cause confusion or embarrass the mufti by asking him questions that require extensive scholarly research. The management shall likewise not dig up defunct questions with the aim of creating sensation and increasing viewer ratings and the guest mufti shall abstain from answering such questions or engaging in discussions of this nature.

Article 64

The various fatwa bodies shall do everything to direct the mustafti to approach only authoritative religious reference bodies for fatwa.

Article 65

The various fatwa bodies shall organize fatwa instructional courses for media professionals concerned with following up fatwa in print, audio, and visual media mediums.

Article 66

The various fatwa bodies shall organize fatwa instructional courses for cyberspace activists.

Article 67

The various fatwa bodies shall organize fatwa instructional courses for human rights activists.

Article 68

The General Secretariat for Fatwa Authorities Worldwide shall develop, upon request, a comprehensive undergraduate and postgraduate curriculum as well as develop a suitable fatwa educational and instructional curriculum at pre-university level.

Article 69

The General Secretariat for Fatwa Authorities Worldwide shall offer, upon request, an integrated fatwa training program.

Article 70

New articles may be added to this Charter depending on ifta` related societal interests.

Article 71

This Charter shall be peer-reviewed and published in the journal of The General Secretariat for Fatwa Authorities Worldwide. The Charter shall be sent to the concerned authorities, institutions, and individuals worldwide.

- Shall accept responsibility in making decisions consistent with safety, health and public welfare.
- Shall be forthright and realistic in all estimates; be they claims, costs or valuations.

The Science of Fatwa Making

A proposed Fatwa curriculum for higher education

A meticulous study of Islamic jurisprudence leaves no doubt about its unique characteristics and unparalleled attributes that have expanded its capacity to contribute positively to the moral and mundane experiences of Muslims over the course of more than fourteen centuries. These attributes have allowed Islamic jurisprudence to acknowledge new and emerging issues and determine their conformity with the principles of Islamic law, making it the governing benchmark for man's lived context and not vice-versa.

A fatwa is the extrapolation of a legal ruling by a specialized scholar in response to solicited inquiries. It is imperative that a mufti, a fatwa issuer, be qualified in the principles and universal objectives of Islamic law as they relate to the spiritual and material lives of the people. Accordingly, a mufti is tasked with the application of textual rulings i.e., rulings of religion, to real life situations. A fatwa is therefore a juridical mental construction articulating a sound understanding of lived reality and the clarification of the prescriptive or proscriptive ruling for the issue of concern to the inquirer. A sound fatwa is the product of a solid and profound understanding of textual meanings and the mufti's engagement with the interests of individuals, society, and the universal community of Muslims at large. A mufti achieves the objectives of Islamic law in conveying the true religion and its regulating rulings only to

the extent of his capacity to conceive and comprehend the transmittive and comprehendible aspects of Islamic legal texts and of his awareness of the interests of individuals, societies, and nations.

Accordingly, it is necessary to include the art of crafting fatwa in the curricula of Islamic higher education with the objective of creating a generation of informed specialists proficient in the prudent application of Islamic texts to their lived contexts. Such an achievement is not feasible except if Islamic researchers are highly competent in the craft of ifta` and its requirements. The reason for this is because ifta` is not an easy undertaking but a complicated constructive process whose ingredients include enhanced awareness, contemplation, and the laying of groundwork leading up to the final product which is the fatwa itself. A fatwa is therefore the product of many factors including proofs and the lived reality with all of its complexities and the interrelations that exist between them, all of which must be taken into account during the process of ifta`.

It is important at this point to mention Egypt's Dar al-Ifta, the world's leading fatwa institution, that has succeeded in correlating the craft of ifta` to real life situations and in institutionalizing ifta` with a view to transmitting related disciplines and fatwa skills to muftis abroad thereby fulfilling the needs of Muslim communities outside Egypt. Not only has Egypt's Dar al-Ifta made concerted and impressive efforts to connect ifta` to real life, but it took a pioneering step towards building training departments and programs for young muftis.

Egypt's Dar al-Ifta is one of the oldest and most important fatwa institutions worldwide. This venerable institution has always been at the forefront in streamlining the means and tools of ifta`. To this end, Egypt's Dar al-Ifta has created its official website resulting in a strong presence on the various social media platforms. Its noteworthy services include, among others, the dispensation of fatwa through various mediums such as phone, email, writing, mail, fax and one-on-one meeting with a mufti. Other services beyond fatwas include Islamic legal calculations, zakat and inheritance calculations, advanced training, E-learning and training, and family guidance.

Stemming from its belief in the necessity of linking ifta` to the real-life context of the issues and challenges facing the people, Egypt's Dar al-Ifta has gone the extra mile to establish an observatory responsible for examining and monitoring rigorous and extremist ideas advocating terrorism, violence, and aggression. The Observatory's other responsibilities include refuting aberrant ideas by making recourse to textual evidences from the Qur'an and Sunnah that are expressive of the tolerance and moderation of Islam. The Observatory is therefore a monitoring and research tool in the service of Egypt's Dar al-Ifta in its capacity as the foremost reference source for all ifta`-related fields. The Observatory furthermore provides Egypt's Dar al-Ifta with the necessary practical, technical, and (Islamic) legal support to enable it to identify extremism and determine its causes, the several contexts in which it exists, its active agents, and related radical declarations and allegations. In this manner, it is possible for Dar al-Ifta to establish the frameworks and determine the remedy for extremism in addition to provide assistance and support to other Egyptian social and religious institutions to confront extremism and its ramifications, outline the different forms of extremism and extremists, and offer guidance on dealing with extremist ideologies.

The advanced training muftis receive at Egypt's Dar al-Ifta is aimed at enhancing their da'wah performance, increase their understanding of their surrounding environments as well as the civilizational needs of their community, and adequately address newly emerging issues, allowing them to become the best representatives of Islam, Islamic knowledge, and the universal community of Muslims across different situations.

The main mission of this advanced training is to produce well-informed, dynamic, observant, and proactive preachers who are able to comprehend the ideas, opinions and values of others, and engage with them across differences and diversity. The training furthermore allows muftis to gain a profound understanding of religious texts and scholarly opinions, identify and analyze facts, make careful evaluations and criticism, take informed stances, and express propositions in a language consistent with the requirements of modern times thereby creating a perfect synthesis of knowledge of Islamic Law with the real life contexts of the people. In this manner, muftis will fulfill their duty towards both Muslims and non-Muslims.

Egypt's Dar al-Ifta launched its E-training program as a service to specialists and muftis around the globe. Considered the first of its kind, the program enables students to gain the necessary knowledge and fatwa skills needed to qualify them for undertaking ifta` in their own countries without having to travel abroad.

The training department of Egypt's Dar al-Ifta has adopted a system of modern training concepts derived from the best contemporary training curricula. The department offers a number of programs, the most important of which are:

- Training programs for non-Egyptian students of ifta'.
- Training ifta` programs for Egyptian graduates.
- Premarital training programs.

Egypt's Dar al-Ifta has also assisted The General Secretariat for Fatwa Authorities Worldwide in its endeavor to build highly qualified cadres and increase their experience in the field of ifta`. To achieve this aim, Dar al-Ifta has developed a host of instructional products for fatwa teaching and training. Perhaps it is not far-fetched to say that these products may be considered a contribution towards introducing the various disciplines of ifta` into the Islamic higher education system. Most prominent among these is "A General Reference for Fatwa Institutions". This book is an essential component in the construction of any fatwa institution, mainly because it is based on two basic pillars of the ifta` process —the institution itself and the muftis. This source reference comprises, among others, information and training methods for developing the necessary qualifying skills for ifta`.

The content of the book was developed with certain principle topics in mind. These are:

1. Ta`sil (finding roots in the religion): It discusses theoretical issues related to ifta`.
2. Tahammul (reception and acquisition): It discusses the methodology of fatwa selection.
3. `Ada` (delivery): It discusses the delivery of fatwa to fatwa solicitors.

In its conviction in the gravity of ifta` and the importance of introducing it as an independent field in Islamic higher education, Egypt's Dar al-Ifta and the General Secretariat for Fatwa Authorities Worldwide have collaborated with many fatwa oriented educational and training institutions. It is only fitting that we benefit from all of these efforts and make use of them to achieve this quest that is a requisite of specialization and Islamic reality. There is no doubt that designing a curriculum for teaching ifta` in Islamic higher education is the rational beginning of this requisite.

Proposed curriculum for teaching ifta`

Curriculum title	The science of ifta`
Curriculum description	This curriculum covers the definition of fatwa, the history of ifta` in Islam, the value and status of ifta`, related Islamic legal rulings, the roots and methodology of ifta`, related juridical principles, criteria of change, facilitation in fatwa, rulings and conditions related to both the mufti and mustafti, methodology of group ijtihad, methodology of ifta` in relation to unprecedented issues.
Curriculum objectives	By the end of this course, students should be able to: 1. Understand the concept and importance of Islamic legal edicts. 2. Know the methods and methodology of ifta`. 3. Apply legal texts to real life situations and contexts. 4. Know the regulating juridical principles related to the ifta` process. 5. Know the methodology of group ifta`. 6. Know the methodology of ifta` in relation to contemporary and unprecedented issues.
Curriculum requirements	Students must not depend entirely on their instructors, but should complement instruction with their own reading and pre-class preparation. This will allow students to engage with and actively participate in class, contribute ideas, and ask questions, and thereby benefit from the course material and earn the grades assigned for in-class engagement and participation.
Learning and skills	Students should be able to: 1. Understand the curriculum topics. 2. Apply the acquired knowledge. 3. Analyze and explore. 4. Work in a team environment. 5. Engage and participate in class.

Study plan	**Chapter one: The definition of fatwa** (i) Definition of the terms fatwa, mufti, and mustafti. (ii) The status of fatwa in Islam. (iii) The history of fatwa in Islam. (iv) The methodology and kinds of fatwa. **Chapter two: The jurisprudence of fatwa** (i) The legitimacy of fatwa and related legal ruling. (ii) The governing juridical principles of fatwa. (iii) The juridical criteria associated with fatwa. **Chapter three: The rulings related to the mufti and mustafti** (i) The rulings related to the mufti. (ii) The rulings related to the mustafti. **Chapter four: The methodology of group fatwa and fatwas related to contemporary and unprecedented issues** (i) The methodology of group fatwa. (ii) The methodology of fatwa in relation to contemporary and unprecedented issues. (iii) The methodology of fatwa in relation to issues of concern to Muslims living in non-Muslim majority societies.

The implementation of this and similar curricula in Islamic higher education and their implementation in the development of training programs and educational systems is one of the most important means of taking Islamic higher education out of its theoretical context into the realm of de facto application—the ultimate goal of this education. I therefore call upon all parties concerned with developing strategies for Islamic higher learning to reassess the general goals and short and long-term plans with the aim of benefitting from the afore-mentioned efforts and applying them in the Islamic higher education system.